

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



LARRY AKERY, COUNCIL PLACE 1
DAVID LANDS, COUNCIL PLACE 2
HARRY OPLIGER, COUNCIL PLACE 3
ED PERRY, COUNCIL PLACE 4
CRYSTAL SARMIENTO, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6

DAN DAVIS, MAYOR
DAN JOHNSON, CITY MANAGER
TAMMY BELL, CITY SECRETARY

**NOTICE OF A CITY COUNCIL MEETING
OF THE CITY OF MANVEL
April 15, 2024**

**NOTICE IS HEREBY GIVEN
5:00 P.M. WORKSHOP – 6:00 P.M. REGULAR SESSION**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Manvel City Council 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 City Council 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. The City Council 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 x6 for further information.

CITY OF MANVEL MISSION STATEMENT

“The City of Manvel will continue to be a unique, vibrant, growth-managed community that will meet the needs of its citizens through the efforts of local government and civic-minded individuals by promoting well-planned development, cost-effective professional management, and competent and responsive municipal services.”

Workshop Session

Update on debt issuance for the Wastewater Regional Facilities, Streets, and Sidewalk Improvements.

Presentation on WeBUILT (We Build Unique Independent Lives Together) Development.

Discussion on any topic as listed on the current agenda.

Regular Session

Call To Order

Invocation

Inspirational Reading - Councilmember Perry

Pledge

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

Presentations

Proclamations

Mountain on MastersRoad Fun Run - April 27, 2024
Professional Municipal Clerks Week - May 5-11, 2024
Military Appreciation Month - May 2024
Motorcycle Safety Awareness Month - May 2024

Staff Recognition

Scott Karpowicz - 15 years of dedicated service to the City of Manvel
Tammy Bell - 20 years of dedicated service to the City of Manvel

Public Hearing Presentation

Overview of proposed Ordinance 2024-O-12

Public Hearing

TO HEAR INPUT FROM THE PUBLIC ON AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 13.08 ACRE TRACT OF LAND LOCATED AT 21708 HIGHWAY 288, MANVEL, TEXAS (DESCRIBED AS RESERVE "A" OF MANVEL TOWN CENTER PHASE ONE B), FROM PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT (PUD-SH6) TO PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (PUD-SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 621493 "AMBULATORY HEALTH CARE SERVICES" TO BE LOCATED WITHIN THE TOWN CENTER DEVELOPMENT; 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.

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.

City Manager Update

Update on current events and city issues.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve the second and final reading of Ordinance 2024-O-12;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 457.0 ACRES OF LAND GENERALLY LOCATED EAST OF STATE HIGHWAY 288, NORTH OF HIGHWAY 6, GENERALLY SOUTH OF DEL BELLO BOULEVARD, AND WEST OF FARM TO MARKET 1128, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) AND AMENDMENTS TO THE VALENCIA PLANNED UNIT DEVELOPMENT; 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. (Forwarded with favorable recommendation by PD&Z 4/1)
3. Consideration and possible action to approve Resolution 2024-R-12;
A RESOLUTION BY THE CITY OF MANVEL, TEXAS SUSPENDING THE WATER AND WASTEWATER RATE INCREASES PROPOSED BY UNDINE, LLC. FOR THEIR CUSTOMERS IN THE BRANDI ESTATES SUBDIVISION FOR NINETY (90) DAYS, THE MAXIMUM PERIOD ALLOWED BY LAW; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
4. Consideration and possible action to approve Resolution 2024-R-13;
A RESOLUTION BY THE CITY OF MANVEL, TEXAS SUSPENDING THE MAY 11, 2024 EFFECTIVE DATE OF THE PROPOSAL BY UNIVERSAL NATURAL GAS, LLC D/B/A UNIVERSAL NATURAL GAS, INC. TO IMPLEMENT GRIP INTERIM RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2023 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
5. Acceptance of infrastructure improvements for Manvel East Retail Center to begin the Two-Year Maintenance Period.
6. Acceptance of infrastructure improvements for Meridiana 24A to begin the Two-Year Maintenance Period.
7. Acceptance of infrastructure improvements for Meridiana Section 24B to begin the Two- Year Maintenance Period.
8. Acceptance of infrastructure improvements for Meridiana Section 5 East to begin the Two-Year Maintenance Period.

Items Removed from Consent Agenda

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071: "Consultation with Attorney," to discuss the following:

- *Certificate of Obligation Publication*
- *Legal advice on Public Improvement Districts (PID)*

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-17;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 13.08 ACRE TRACT OF LAND LOCATED AT 21708 HIGHWAY 288, MANVEL, TEXAS (DESCRIBED AS RESERVE "A" OF MANVEL TOWN CENTER PHASE ONE B), FROM PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT (PUD-SH6) TO PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (PUD-SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 621493 "AMBULATORY HEALTH CARE SERVICES" TO BE LOCATED WITHIN THE TOWN CENTER DEVELOPMENT; 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. (FORWARDED WITH FAVORABLE RECOMMENDATION BY PD&Z 7/0).
2. Consideration and possible action to approve Ordinance 2024-O-19;
AN ORDINANCE AUTHORIZING ISSUANCE OF UP TO \$50,000,000 CITY OF MANVEL, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024; PRESCRIBING THE TERMS AND CONDITIONS THEREOF; PROVIDING FOR THE PAYMENT THEREOF; MAKING OTHER PROVISIONS REGARDING SUCH CERTIFICATES AND MATTERS INCIDENT THERETO; AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT REGISTRAR AGREEMENT.
3. Consideration and possible action to approve Ordinance 2024-O-20;
AN ORDINANCE AMENDING ORDINANCE NO. 2023-O-32 AMENDING THE CITY FISCAL YEAR 2024 BUDGET ENDING SEPTEMBER 30, 2024, BY AMENDING THE GENERAL FUND BUDGET TO TRANSFER FUNDS FROM COMMUNITY DEVELOPMENT SERVICES TO COURTS FOR A CLERK POSITION, TO TRANSFER FUNDS TO THE LIBRARY FOR REPAIRS FROM THE ADMINISTRATION DEPARTMENT, AND TO FUND THE ADDITIONAL COST ON THE ELEVATED WATER STORAGE TOWER FROM THE GENERAL FUND BALANCE. DIRECTING THE BUDGET OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET WITH THE CITY SECRETARY AND WITH THE OFFICE OF THE BRAZORIA COUNTY CLERK AND PROVIDING THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.
4. Update by Waste Connections on the CPI Rate Adjustment (Authorized under the Franchise Agreement)
5. Consideration and possible action to approve;
SECOND AMENDMENT TO INTERLOCAL AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MANVEL, TEXAS, AND BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43
6. Consideration and possible action to approve a Funding Agreement between the City of Manvel, Texas, and Rodeo Palms Community Association, Inc to provide the terms between the CITY and ASSOCIATION with regards to the CITY painting certain lanes and street markings on the street by the entrance to the gate house in Rodeo Palms Subdivision.

April 15, 2024 CITY COUNCIL MEETING AGENDA

7. Consideration and possible action to approve a Signal and Crossing Surface License Agreement between The City of Manvel, and BNSF Railway Company.
8. Consideration and possible action to decline the default increase in rates for the 2024 CPI Adjustment to Municipal Telecommunications Right-Of-Way Access Line Rates.
9. Consideration and possible action to direct staff on a Tree Preservation Ordinance as requested by Council Member Lands and Council Member Akery.
10. Consideration and possible action to direct staff on creating a checklist for new businesses.
11. Consideration and possible action to schedule a City Council Planning Session Meeting on April 29, 2024.
12. Consideration and possible action to approve a Special Called City Council Meeting on May 13, 2024, for the Canvass of the May 4, 2024, General Election.

Mayor and Council Comments

Update on current events and city issues.

Additionally, pursuant to Texas Government Code § 551.0415, City Council Members and city staff may make a report about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

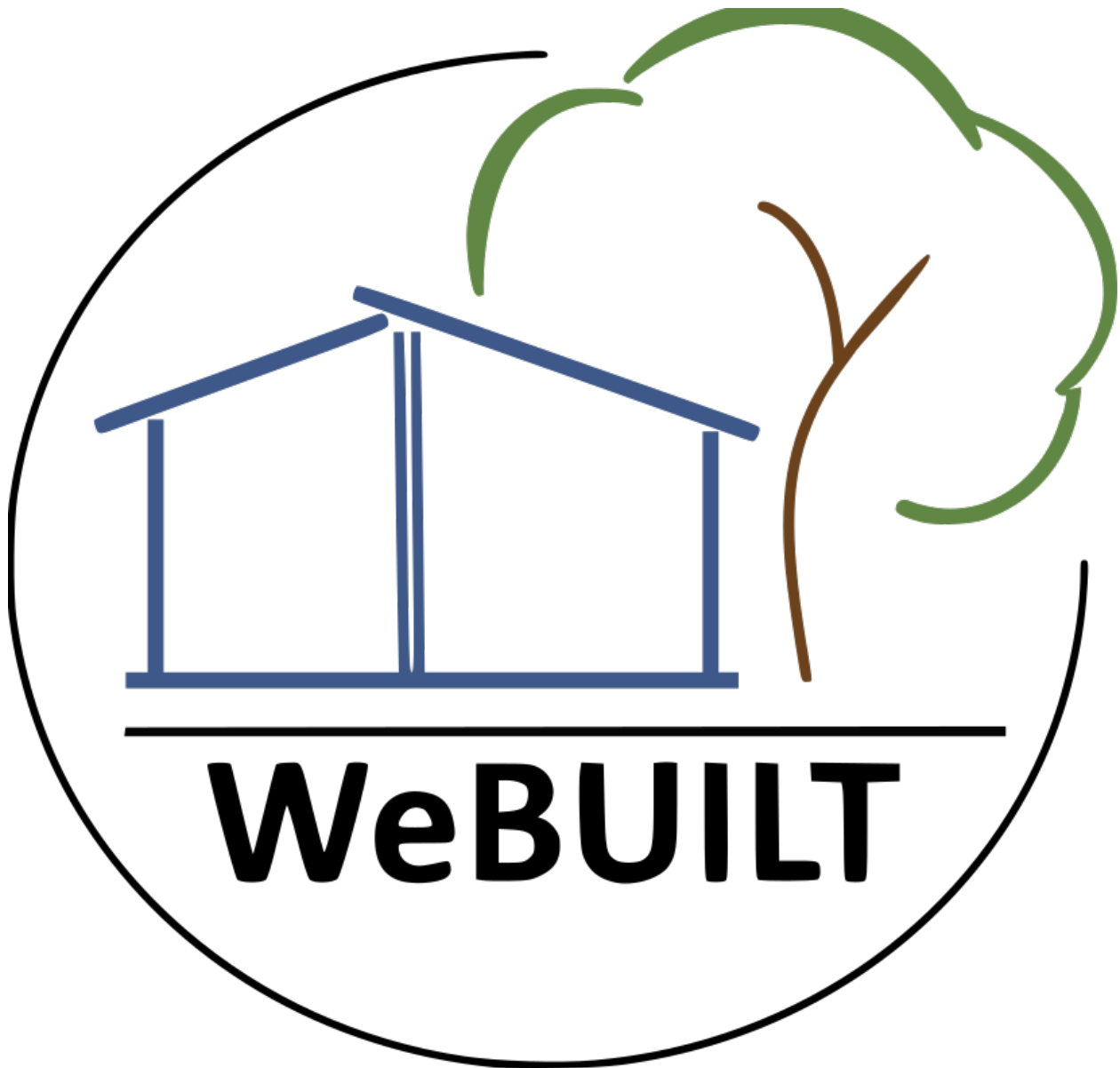
Adjourn

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Manvel City Council 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 04/12/2024 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





WeBUILT Texas Gulf Coast

WeBUILT Texas Gulf Coast

We Build Unique Independent Lives Together

Our Story

A group of parents got together to research and network the best forever home for our adult children with disabilities in Texas. After realizing the lack of housing opportunities for the disabled population, we decided to build a community from the ground up. In 2022, we learned about the WeBUILT community in Clackamas, Oregon. Ann Wilkerson developed the WeBUILT model. Her vision was to provide her son with a comfortable, safe community where he could live his highest level of independence. Today, the WeBUILT model is being replicated in several states, and we are replicating Ann's WeBUILT model on the gulf coast of Texas.

MISSION STATEMENT

Create, support, and empower adults with disabilities to live their highest level of independence in a community.

OUR VISION

To create a safe economic supported community including individualized homes and an educational activity center where the residents can build friendships, grow social skills, sign up for group activities, and gather for a meal.

CORE BELIEFS

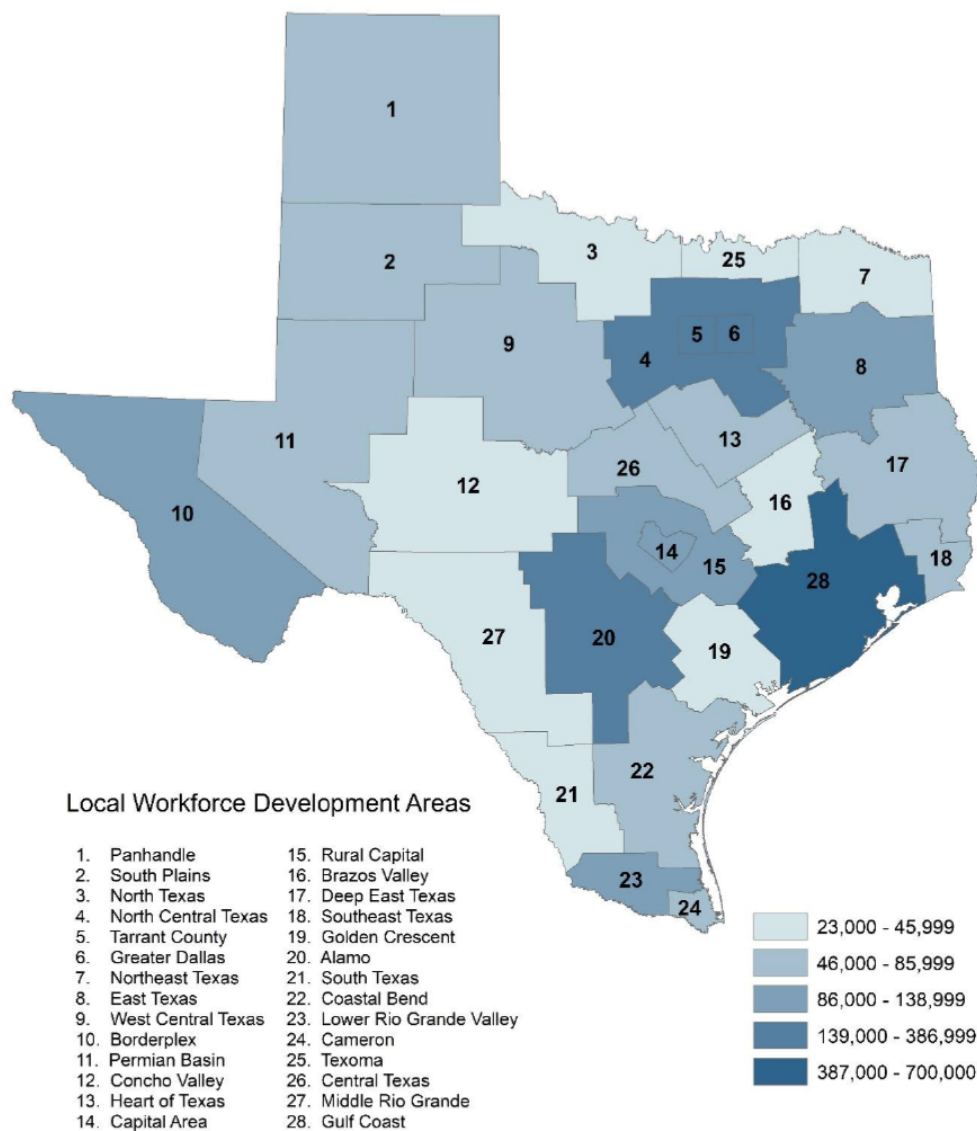
- We believe everyone should have the opportunity to live an abundant life in their highest level of independence.
- We believe individuals with disabilities can thrive in the right type of community, and we need to build that community from the ground up
- We believe that natural supports, safety, and community will empower individuals with disabilities to live to their fullest potential.
- We believe individuals with disabilities are an asset to the wider community and will add value in a unique and unexpected ways.

HOUSING FOR DISABILITY ANALYSIS

In Texas, the Home and Community Based Services (HCBS) waiver program is administered by the Texas Health and Human Services Commission (HHSC). The program provides Medicaid-funded community-based services to individuals with disabilities who would otherwise require institutional care.

According to the Ancor Foundation study released in January 2019, Texas Ranks 49th among all states in efforts to serve individuals with intellectual and developmental disabilities (I/DD). The study also showed Texas had, by far, the largest waiting list for HCBS in the country. With 196,248 Texans with I/DD on the waiting list, the state would have to expand its existing service offerings by a 535 percent to match current levels of demand. The Houston Chronicle reported in July 2022 there are nearly 200,000 Texans on a waitlist. Some will wait 15 years or more to receive assistance.

Number of Individuals with Disabilities in Texas by LWDA, 2017



Source: U.S. Census Bureau, 2017

Individuals with Disabilities in U.S. and Texas

Individuals with Disabilities	United States		Texas	
	Number	Percent	Number	Percent
Males with Disabilities	19,741,186	48.5%	1,660,211	49.2%
Females with Disabilities	20,937,468	51.5%	1,686,794	50.8%
Total	40,678,654	100.0%	3,347,005	100.0%

Table notes: U.S. data are from 2017 ACS summary tables. Texas data are from 2017 ACS microdata.

Table 51: LWDA 28 Gulf Coast—Individuals with Disabilities by County, 2017

County	Population	Individuals with Disabilities	Disabilities					
			Vision	Hearing	Ambulatory	Cognitive	Self-Care	Ind. Living
Austin	29,786	4,199	740	1,394	2,168	1,450	913	1,568
Brazoria	362,457	40,449	9,791	11,753	22,174	16,439	8,477	11,456
Chambers	41,441	6,114	1,575	1,604	3,922	2,032	1,465	2,172
Colorado	21,232	3,067	540	1,019	1,584	1,060	667	1,146
Fort Bend	764,828	54,790	8,213	14,930	27,209	22,823	12,171	20,593
Galveston	335,036	50,346	9,959	13,666	28,166	20,593	10,749	19,654
Harris	4,652,980	432,948	87,700	106,114	226,166	169,529	88,749	158,078
Liberty	83,658	13,174	3,392	3,455	8,450	4,379	3,156	4,681
Matagorda	36,840	5,406	952	1,795	2,792	1,867	1,175	2,019
Montgomery	570,934	52,629	10,331	15,475	25,472	22,203	10,237	19,065
Walker	72,245	12,623	2,693	3,981	7,621	4,804	2,044	3,853
Waller	51,307	6,361	1,121	2,112	3,285	2,197	1,383	2,376
Wharton	41,968	6,085	1,072	2,020	3,142	2,102	1,323	2,273
Gulf Coast Total	7,064,712	688,191	138,080	179,319	362,151	271,478	142,510	248,935

The Ten States with the Largest Populations of Individuals with Disabilities, 2017

State	Individuals with Disabilities	Percent of Total Population
California	4,151,044	10.6
Texas	3,172,799	11.4
Florida	2,811,478	13.6
New York	2,266,407	11.6
Pennsylvania	1,774,646	14.1
Ohio	1,613,095	14.0
Illinois	1,404,015	11.1
Michigan	1,390,310	14.1
North Carolina	1,343,295	13.3
Georgia	1,250,959	12.2

Table Notes: 2017 ACS summary table data. Percentages represent the portion of the total civilian noninstitutionalized population with a disability in each state.

WeBUILT (We Build Unique Independent Lives Together)

Texas Gulf Coast Business Plan

1. Definition of project

- a. Summary: customer and geographic focus, objectives and performance.

WeBUILT Texas Gulf Coast (TGC) envision becoming an integrated, intentional community. A community specifically for individuals who experience intellectual disability, autism or other disabilities affecting their sensory experience making them uncomfortable or less than optimally successful in traditional housing options. Residents at WeBUILT live without 24-hour support but may require 24-hour passive supervision.

WeBUILT communities operate as a congregate community much like a senior living retirement community. Residents do not own their own home; however, residents do own shares in the community. WeBUILT is a housing model created as a business rather than a real estate venture. WeBUILT TGC is a Limited Liability Corporation (LLC) that families or residents join as members when they move in. WeBUILT TGC has a contractual relationship with LivingHope Corporation, a non-profit agency, to build and once completed to manage the community.

WeBUILT TGC is a consumer-controlled environment in which residents choose their own service providers through agencies, or private funds, if needed. The on-site manager may assist the resident/guardians with connecting to a variety of support systems and provide group and limited individual supports.

WeBUILT TGC is a private residence. Residents live independently choosing activities and daily routines while making personal decisions within safe parameters with oversight and support of the management and staff.

WeBUILT TGC residents often work or volunteer in the congregate community. This enables them to gain skills and the confidence to apply their skills in a job outside of the community. WeBUILT TGC also offers a variety of activities and volunteer opportunities within the greater community, and can assist the residents with planning, and execution of helping at local programs.

WeBUILT residents have 24-hour access to the greater community at their own free will with no expectation to participate in the on-site activities. Residents maintain a personal whiteboard message station inside their home that allows family and staff members to know where they are and when they might return.

WeBUILT TGC may also include residents who are not investors and who may or may not experience a disability. Before a person becomes a resident, an application will be filled out and the potential resident will meet the same criteria as members. Non-member residents will access amenities as members. Each resident pays a monthly fee specific to their member or non-member status that covers water, sewer, waste, environment, electricity, cable, and internet as well as one meal a day prepared to the preferences of the individuals and group. The monthly fee is currently \$600.00 for members and \$1700.00 for non-member.

WeBUILT (We Build Unique Independent Lives Together)

Texas Gulf Coast Business Plan

WeBUILT Texas Gulf Coast began with a “think tank” group of local experts and advocates. This group works with other stakeholders and subject matter experts to make recommendations for the organizational structure and with WeBUILT TGC, LLC and LivingHope Corporation, a 501c3, and other non-profits and governmental agencies.

2. Industry analysis

- a.** Trends: There are an increasing number of children diagnosed with autism, intellectual disabilities, and other disabilities who do not have optimal living situations. LivingHope anticipates a large number of adults and families benefiting from this community. Volunteers and consultants from WeBUILT parent organization have reviewed housing options for intellectual disabled, adults on the spectrum of autism or those with other disabilities. The reviews have shown that the state of Texas is without a housing community like the WeBUILT TGC model. With over 300,000 on the Home & Command Base Services (HCBS) waiver waiting list for housing in Texas the WeBUILT TGC model will be the answer for many. WeBUILT adheres to a model that doesn't threaten Medicaid support for the resident.
- b.** Threats: Identifying residents and adequate membership funding, and initial building costs.
- c.** Key Success Factors: An affordable thriving community where residents live life to their full potential.

3. The Competition

- a.** Competitors: Traditional congregate living models that include group homes, assisted living, home-based foster care.
- b.** Partners: Medicaid service providers, families.

4. Marketing strategy

- a.** Marketing through parent support groups, social media, educators, etc.

5. Project operations and management

Daily operations:

- a.** WeBUILT TGC residents and guardians work collaboratively to retain staff and formal contractual partners for the oversight of the community.
- b.** A Development Project Manager (DPM) will be hired when our project has final City building approval. The DPM will assist with a full range of development activities for replicating a WeBUILT community including, but not limited to, the acquisition, entitlement, design, and construction administration on behalf of LivingHope Corporation, with an emphasis on sustainability, sound-proofing and resident specific design needs, and interests. Though the DPM will be responsible for specific projects, we work as a team. Responsibilities will range beyond the typical confines of those projects.
 - i.** DPM RESPONSIBILITIES
 - 1.** Assist with acquisition and due diligence: develop feasibility analyses for new development opportunities; coordinate and review site due

WeBUILT (We Build Unique Independent Lives Together)

Texas Gulf Coast Business Plan

diligence, including utilities, easements, environmental site assessment (ESA) Phase I, and proximate amenities; participate in preliminary site and architectural concept development; assess existing buildings and infrastructure (if applicable).

2. Assist with the entitlement and land use approval: supervise third party consultants, including architect, engineers, and consultants; prepare and submit entitlement development applications, working with city officials; and participate in community outreach and public hearings.
 3. Assist with architectural and site design: work with architect and engineers to implement development programs at building and site scales; communicate WeBUILT TGC design standards and program requirements; and work with contractors to estimate project costs and ensure conceptual design is within the budget.
 4. Assist with construction administration: coordinate bid and qualifications processes to select general contractor; attend construction job site meetings acting as owner's representative.
 5. Assist with project transition to operations: work with the Director of Asset Project Management to coordinate buy in schedules, construction monthly payments, resident specific finishes, punch-list and warranty items.
 6. Perform other duties: as assigned.
- c. A Director of Asset Management (DAM) will provide accounting and financial oversight to the project.
 - d. Additional staff will join the community as residents arrive and meet to determine who to hire as their on-site community manager, garden and grounds supervisor, chef, and environmental/maintenance person.
 - e. WeBUILT TGC residents direct the dinner menu and have access to food prepared to their personal preferences for dinner every day. They make breakfast and lunch at their own home or ask for assistance from on-site staff or personal support workers. There are no food selection restrictions. WeBUILT TGC chefs make healthy, unprocessed fresh meals each day, and offer opportunities to taste new foods and flavors during weekly optional tasting activities.

6. Partner roles

- a. LivingHope Executive Director will consult with the Board of Directors for fundraising, financial, and marketing venues.
- b. Next Step Strategies, Inc. a non profit providing consulting services at no charge.
- c. LivingHope: a 501c3 will be a contractual partner for managing the WeBUILT TGC community.

7. Outcome measurement

- a. Resident satisfaction surveys
- b. Retention of residents.

WeBUILT (We Build Unique Independent Lives Together)

Texas Gulf Coast Business Plan

8. Quality improvement

Based on feedback from residents and other stakeholders in the community.

- a. Information systems – TBD

9. Implementation plans and timelines

- a. Establish boundaries of donated land.
- b. Establish a start-up budget, and project a budget for the capital improvement project and ongoing.
- c. LivingHope fundraising efforts to support the budget for the project.
- d. Consult with legal for contracts and to transfer LLC to members post construction.
- e. Consult with legal and financial experts to formalize a relationship with LivingHope Corporation.
- f. Establish a general contractor for site-specific building plans.
- g. Building project: develop budget and build.
- h. Hire staff.

10. Potential risks, regulations, long-term development plan, exit plan

- a. Expansion space for additional residents.
- b. Challenges with start-up funding.

11. Budget

- a. Need financial statements/projections 3-5 years out, capitalization plan, Income statement, cost per unit, balance sheet, cash flow projection, sources and uses of funds.
- b. Current (temporary) funds management:
 - i. There is no active fundraising or gift solicitation at present, looking to raise funds through grants, donors, and through the website.
 - ii. Donations to WeBUILT TGC are transferred to LivingHope. LivingHope will provide a financial report monthly and upon request.
 - iii. Investments to WeBUILT TGC that are restricted for a specific resident would be retained at the new LLC level.
 - iv. Buy-in from future residents/parents/guardians would be retained at the new LLC level.
 - v. If loans were to be considered by the LLC, 5% interest would be paid to the entity providing the loan. This approach was used in the Oregon project.

622.69'
N 38°54'44" E

- ① Duplex
- ② Admin. House
- ③ Multipurpose Bldg
- ④ Adult Playground
- ⑤ Not Used
- ⑥ Detention Pond
- ⑦ Septic Leach Field Placeholder
-  Geoblock Rigid Porous Pavement System

S 51°13'17" E
657.10'

N 51°13'17" W
657.10'

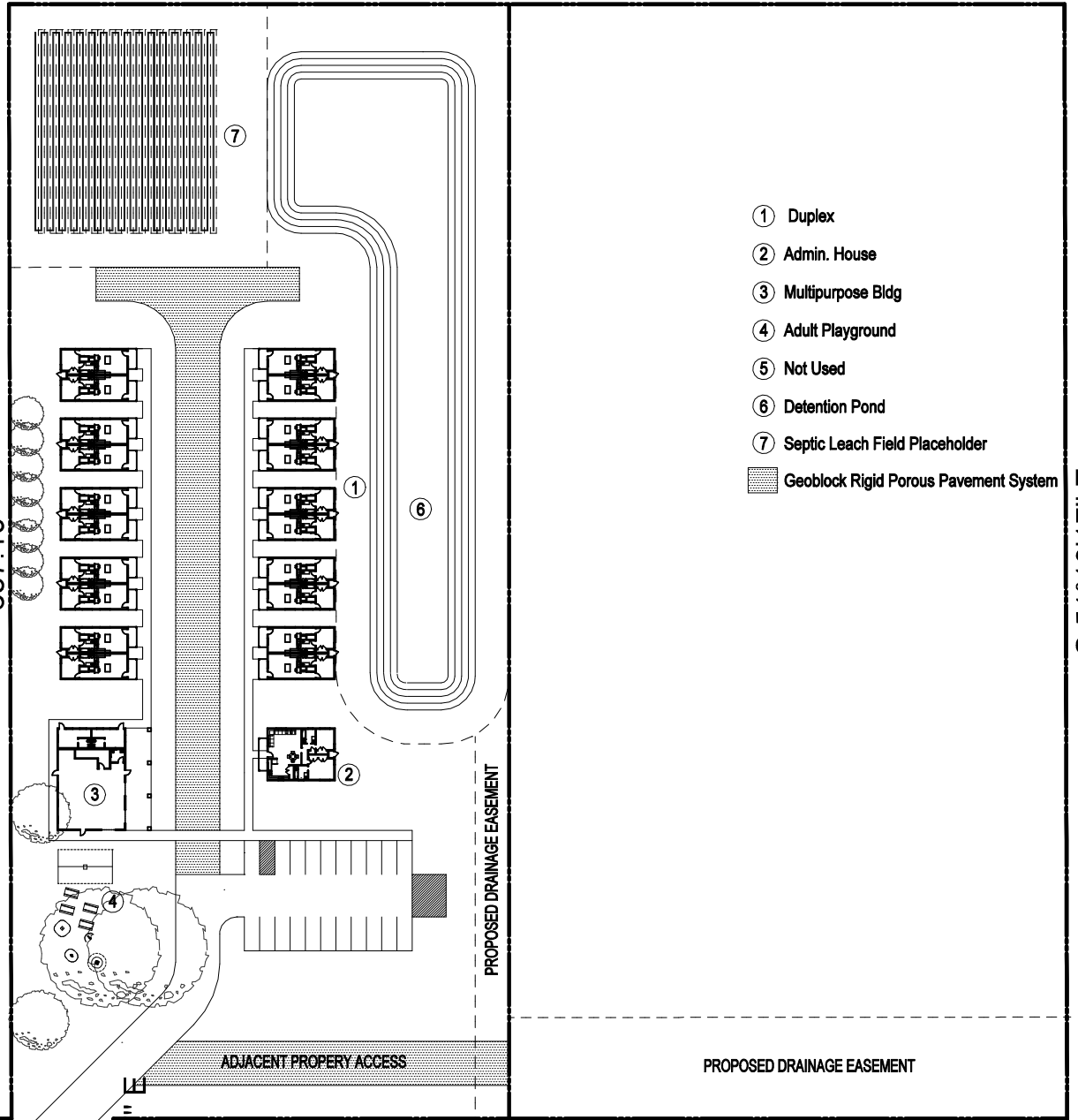
198.65'
N 38°54'43" E

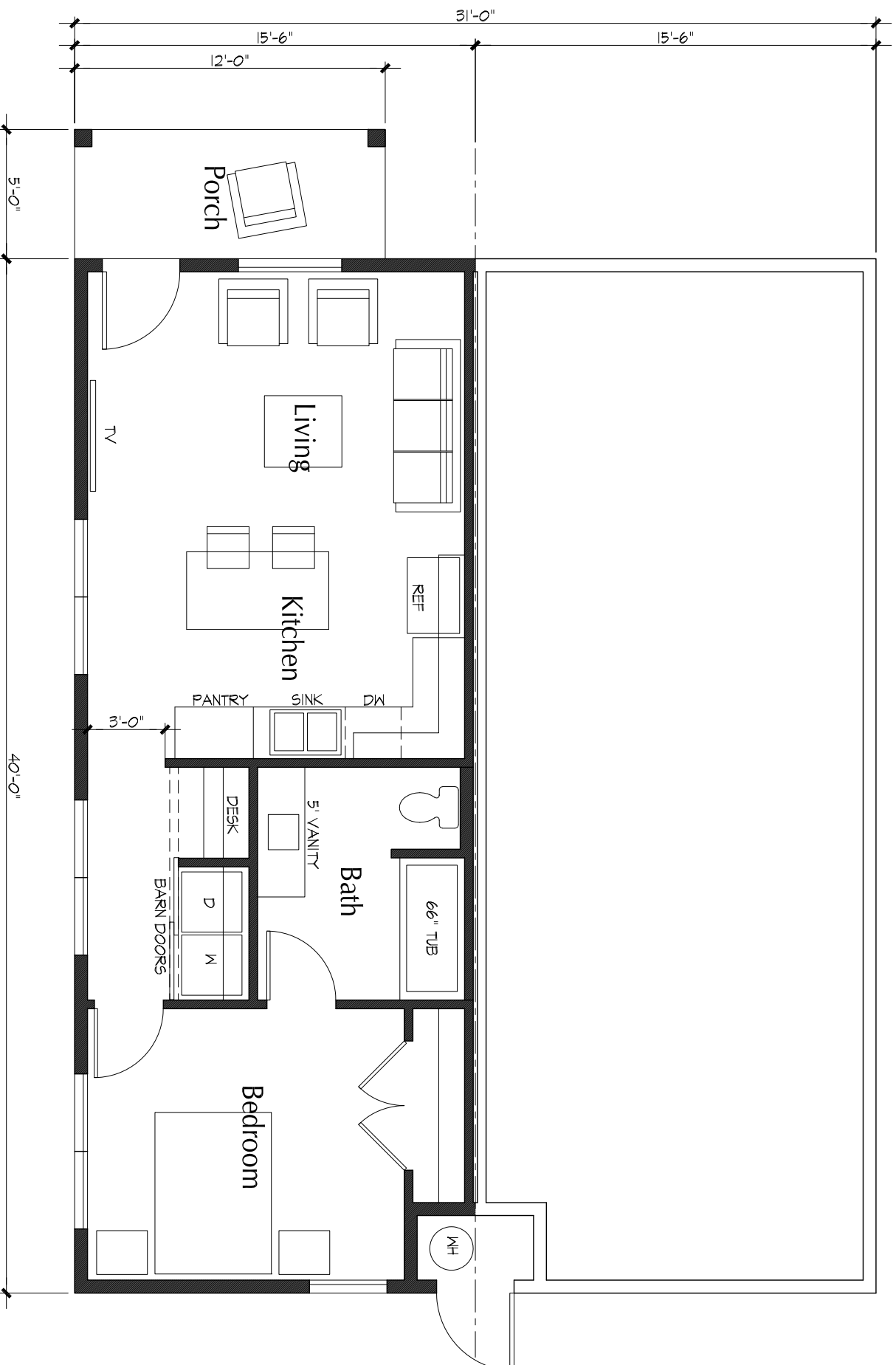
189.03'
S 38°54'43" W

S 51°05'17" E
60.00'

S 38°54'43" W
562.54'

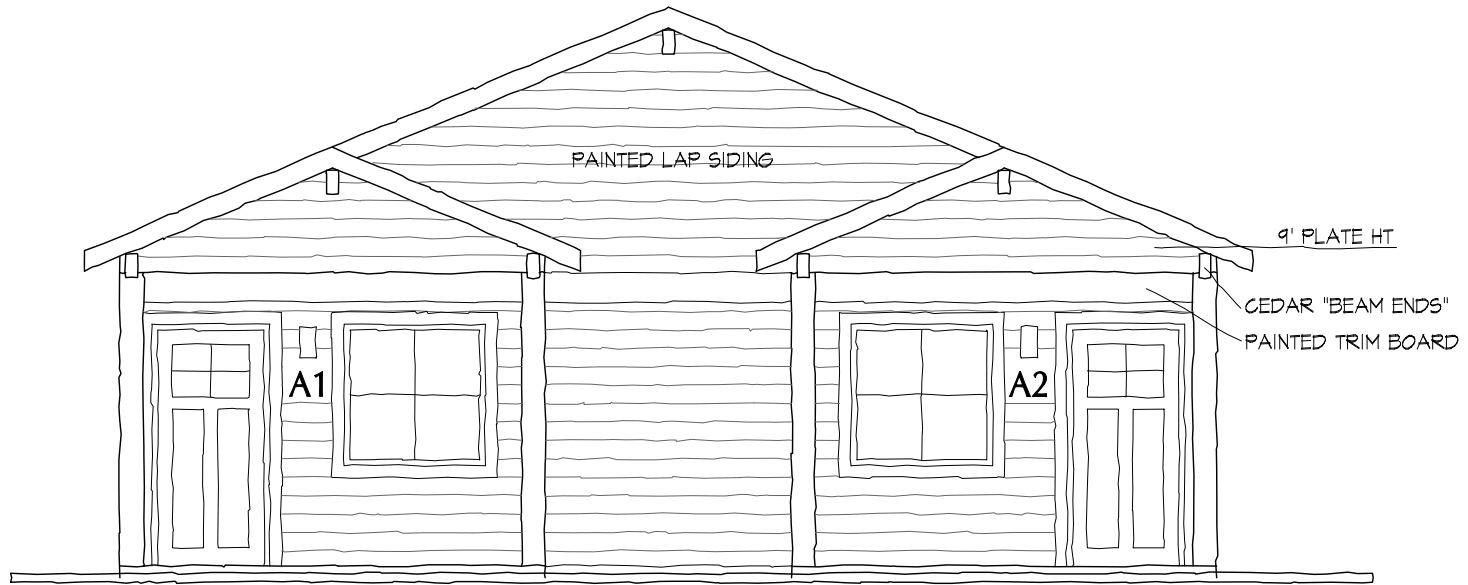
N 40°21'00" W
192.64'
S 41°49'06" W
135.72'
S 40°21'02" E



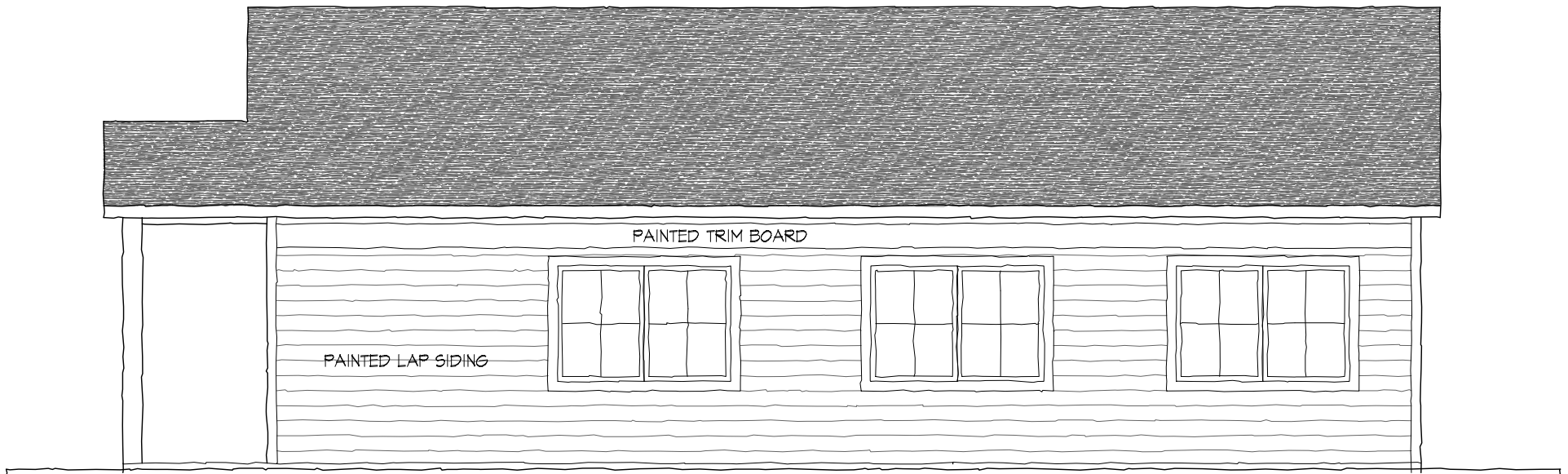


WebUILT Texas Gulf Coast

Floor Plan

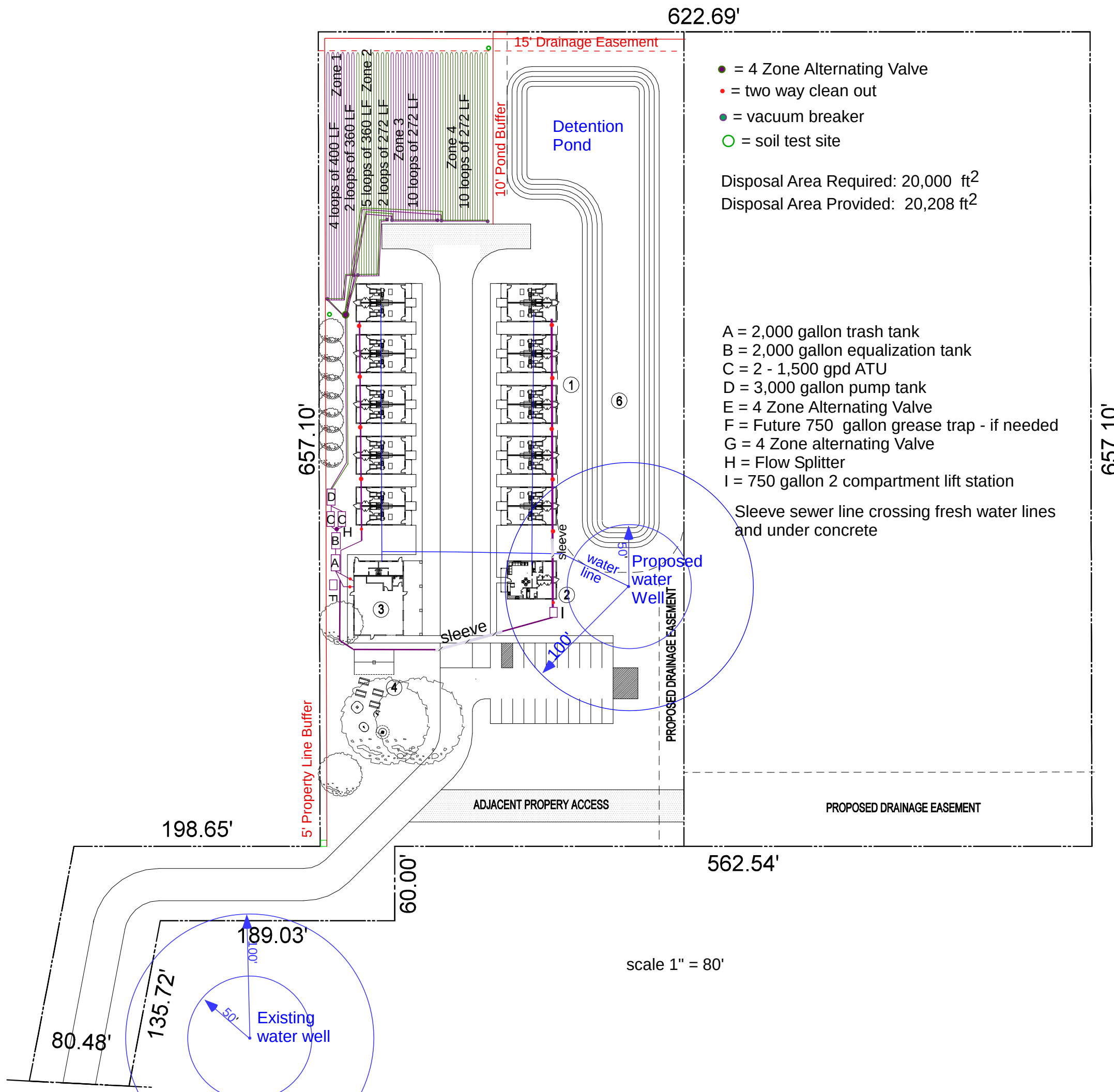


Front Elevation



Side Elevation

WeBUILT Texas Gulf Coast



No streams, ponds, or lakes within 75' of property

All sharp slopes, breaks or dry ditches shown if present

This property exhibits less than 3% slope

Private water wells within 100' of property as shown

No public wells within 150' of property

This property does not lie in the 100 year floodplain



WILKINSON "SUNNYSIDE"

8909 SE TOLBERT ST.
CLACKAMAS, OR 97015

- 60' x 40' BARN STRUCTURE

1 PROJECT DESCRIPTION

OWNER
ANN WILKINSON

CONTRACTOR

REGISTERED DESIGN PROFESSIONAL
ECLIPSE ENGINEERING, P.C.
2140 SW JEFFERSON ST., SUITE 100
PORTLAND, OR 97201
CONTACT: SCOTT RATTERMAN
503.345.1229
SRATTERMAN@EEMT.COM

2 PROJECT DIRECTORY

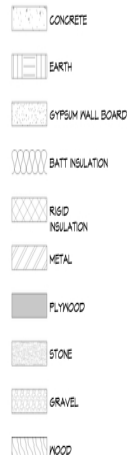
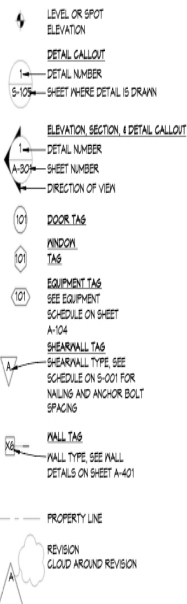
SHEET INDEX

A-001 TITLE SHEET & GENERAL NOTES
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S-106 DETAILS - FOUNDATION
S-107 DETAILS - FRAMING
S-108 DETAILS - FRAMING

DISCLAIMER:
ALL 3D IMAGES ARE AN APPROXIMATE ONLY. ALL 3D IMAGES ARE SHOWN FOR ILLUSTRATION PURPOSES ONLY. 2D DRAWINGS SHALL SUPERCEDE ALL ITEMS SHOWN ON 3D IMAGES. THIS SHEET IS PROVIDED AS A REPRESENTATION AND IS NOT FOR CONSTRUCTION.

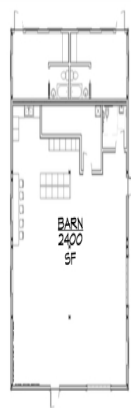
1. CONTACT EACH MUNICIPAL, GOVERNMENTAL, OR PRIVATE UTILITY COMPANIES TO DETERMINE THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.
2. SCHEDULE AND COORDINATE ALL SHUT DOWNS OF EXISTING UTILITIES WITH THE OWNER IN ADVANCE A MINIMUM OF SEVEN (7) DAYS PRIOR TO SHUT DOWN.
3. PROVIDE ALL REQUIRED EROSION CONTROL MEASURES PRIOR TO ANY EXCAVATION.
4. A CHEMICAL TOILET IS REQUIRED ON-SITE DURING CONSTRUCTION.
5. OTHER WORK MAY BE PERFORMED UNDER A SEPARATE CONTRACT AT THE CLIENT'S PROPERTY. COORDINATE WITH ALL OTHER CONTRACTED TRADES SO AS TO NOT INTERFERE WITH THEIR WORK.
6. ALL FASTENERS IN CONTACT WITH PRESERVATIVE TREATED WOOD SHALL BE HOT DIPPED GALVANIZED.
7. REFER TO STRUCTURAL DRAWINGS FOR STRUCTURAL REQUIREMENTS, SIZE, SPACING AND LOCATION OF ALL STRUCTURAL MEMBERS.
8. STRICTLY FOLLOW ALL MANUFACTURER'S INSTALLATION INSTRUCTIONS WHEN USING OR INSTALLING PRODUCTS.
9. ALL DOOR AND WINDOW DIMENSIONS ARE APPROXIMATE. VERIFY MANUFACTURER SPECIFICATIONS FOR EXACT SIZE.
10. USE 5/8" TYPE X GYPSUM WALL BOARD THROUGHOUT. PROVIDE WATER RESISTANT GYPSUM WALL BOARD IN RESTROOMS WITH SHOWERS. PROVIDE FRAMING AT 16" O.C. MAX AT CEILING WHERE WATER RESISTANT GYPSUM WALL BOARD IS INSTALLED.
11. FIRE BLOCKING SHALL BE PROVIDED IN STUD CAVITIES OVER 10" IN HEIGHT.
12. CONTACT DESIGNER OR ENGINEER OF RECORD TO CONFIRM DIMENSIONS IF NOT LISTED.

3 GENERAL NOTES



4 SYMBOL LEGEND

5 MATERIAL LEGEND



6 MAIN LEVEL

1/8" = 1'-0"

AREA - CONDITIONED SPACE	
NOTE: CONDITIONED SPACE MEASURED FROM EXTERIOR SURFACES OF EXTERIOR FRAMING & HEAD HEIGHT ABOVE 40"	
CONDITIONED	2400 SF
BARN	2400 SF
GRAND TOTAL	2400 SF

AFF	ABOVE FINISHED FLOOR	FRP	FIBER REINFORCED PLASTIC	NC	NOT IN CONTRACT	TEL	TELEPHONE
ADJ	ADJACENT	FFL	FINISHED FLOOR LINE	NTS	NOT TO SCALE	TV	TELEVISION
AGG	AGGREGATE	FE	FIRE EXTINGUISHER			TEMP	TEMPERED GLAZING
A/C	AIR CONDITIONING	FD	FLOOR DRAIN	OC	ON CENTER (S)	THK	THICK (NESS)
ALT	ALTERNATE	FTG	FLOORING	OD	OUTSIDE DIAMETER	TPD	TOILET PAPER DISPENSER
ALUM	ALUMINUM	FND	FOUNDATION			TAG	TONGUE AND GROOVE
ANB	ANCHOR BOLT			PEN	PENETRATION	T.O.	TOP OF
ABV	ABOVE	GA	GAUZE	PT	PRESSURE TREATED	TB	TOILET BAR
ARCH	ARCHITECT (URAL)	GALV	GALVANIZED	PTD	PAPER TONEL DISPENSER	TYP	TYPICAL
ASPH	ASPHALT	GLB	GULIM BEAM	PLAM	PLASTIC LAMINATE		
		GB	GRAB BAR	PL	PLATE PROPERTY LINE	UNO	UNLESS NOTED OTHERWISE
		GWB	GYPSUM WALL BOARD	PLYND	PLYWOOD		
BLK	BLOCK	PVC	POLYVINYL CHLORIDE	PVF	POLYVINYL FLUORIDE	VPB	VAPOR BARRIER
BLKS	BLOCKING	PSF	POUNDS PER SQUARE FOOT	VF	VERTICAL	VF	VERIFY IN FIELD
BD	BOARD	PSI	POUNDS PER SQUARE INCH	VERT	VERTICAL	VB	VINYL BASE
BLDG	BUILDING	HSS	HOLLOW STRUCTURAL STEEL	QTY	QUANTITY	VCT	VINYL COMPOSITION TILE
		HB	HOSE BIBS			VF	VINYL FABRIC
CAB	CABINET			REF	REFRIGERATOR	VT	VINYL TILE
CPT	CARPET (ED)			RENF	REINFORCE (D), (NS)	VNG	VINYL WALL COVERING
CLG	CEILING	D	INSIDE DIAMETER	REQD	REQUIRED		
CL	CENTERLINE	NSUL	INSULATE (D), (ON)	RM	RIGHT OF WAY	NC	WATER CLOSET
CT	CERAMIC TILE	INT	INTERIOR INVERT	ROO	ROOM	NR	WATER RESISTANT
CO	CLEANOUT	KIT	KITCHEN	RB	RUBBER BASE	NH	WATER HEATER
COL	COLUMN			RBT	RUBBER TILE	NP	WATERPROOFING
CNC	CONCRETE			SCH	SCHEDULE	NPF	WELDED WIRE FABRIC
CONC	CONCRETE MASONRY UNIT	LAB	LABORATORY	SLR	SEALER (CONCRETE SEALER)	N	NEST, NOTH, NIDE
CON	CONTROL JOINT	LAM	LAMINATE (D)	SECT	SECTION	NDO	WITHOUT
CONT	CONTINUOUS OR CONTINUE	LAV	LAVATORY	SHT	SHEET	NB	WOOD BASE
CF	CUBIC FOOT	LF	LINEAR FEET	SV	SHEET VINYL	ND	WOOD
CY	CUBIC YARD	LVL	LAMINATED VENEER LUMBER	SM	SIMILAR	NPT	WORKING POINT
		LSL	LAMINATED STRAND LUMBER	SG	SOLID CORE		
DEMOL	DEMOLISH			SPEC	SPECIFICATION (S)		
DET	DETAIL	MH	MANHOLE	SF	SQUARE FEET		
DN	DOWN	MFR	MANUFACTURE (ER)	SG	SQUARE		
DS	DOWNPOUT	MAT	MATERIAL (S)	SS	STAINLESS STEEL		
DW	DISHWASHER	MAX	MAXIMUM	STD	STANDARD		
		MCH	MECHANICAL (L-Y)	STL	STEEL		
ELEC	ELECTRIC (AL)	MTL	METAL	STD	STANDARD		
EQ	EQUAL	MM	MILLIMETER (S)	STD	STANDARD		
EQUIP	EQUIPMENT	MIN	MINIMUM	STD	STANDARD		
EN	EDGE NAIL	MSC	MISCELLANEOUS	SUP	SUSPENDED		
EX	EXISTING						

7 ABBREVIATIONS

Proclamation

OFFICE OF THE MAYOR CITY OF MANVEL

Whereas, the City of Manvel acknowledges the bravery, sacrifice, and dedication of our military personnel, both past and present, who have served our nation with honor and valor; and

Whereas, during Military Appreciation Month, we pay tribute to the men and women of our armed forces and their families for their unwavering commitment and sacrifices in defending our freedoms and protecting our way of life; and

Whereas, we recognize the resilience and courage of our military members and their families, who face unique challenges and hardships in service to our country; and

Whereas, we honor the memory of those who have made the ultimate sacrifice in defense of our nation, and we express our deepest gratitude for their selfless dedication and valor; and

Whereas, as a community, we stand united in our support for our military personnel, veterans, and their families, and we reaffirm our commitment to honoring their service and sacrifices;

Now, Therefore, I, Dan Davis, by virtue of the authority vested in me as Mayor of the City of Manvel, Texas, do hereby proclaim May 2024 as



“Military Appreciation Month”

in the City of Manvel, Texas. I encourage all residents to join me in recognizing and honoring the contributions and sacrifices of our military personnel, veterans, and their families, and to express our sincere appreciation for their service to our nation.

In witness thereof, I have hereunto set my hand and caused the seal of the City of Manvel to be affixed.

Dan Davis, Mayor
April 15, 2024

Proclamation

*OFFICE OF THE MAYOR
CITY OF MANVEL*

Whereas, motorcycle riding is a popular form of recreation and transportation for thousands of people across the county, state and nation; and

Whereas, motorcycles are a common and economical means of transportation that reduces fuel consumption and road wear, and contributes in a significant way to the relief of traffic and parking congestion; and

Whereas, the National Highway Traffic Safety Administration and the Motorcycle Safety Foundation have designated May as Motorcycle Safety Awareness Month; and

Whereas, during Motorcycle Safety Awareness Month motorcycle organizations across the country will be conducting activities to promote the importance of motorist awareness and safely sharing the road with motorcycles and to remind riders to make themselves more visible to others; and

Whereas, the City of Manvel wishes to promote the safety campaign of the National Highway Traffic Safety Administration in its effort to ensure the safety and wellbeing of all;

Now, Therefore, I, Dan Davis, by virtue of the authority vested in me as Mayor of the City of Manvel, Texas, do hereby proclaim May 2024 as



“Motorcycle Safety Awareness Month ”

in the City of Manvel, Texas.

In witness thereof, I have hereunto set my hand and caused the seal of the City of Manvel to be affixed.

*Dan Davis, Mayor
April 15, 2024*

Proclamation

OFFICE OF THE MAYOR CITY OF MANVEL

55TH ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK
MAY 5-11, 2024

Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants; and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community; and

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk;

Now, Therefore, I, Dan Davis, by virtue of the authority vested in me as Mayor of the City of Manvel, Texas, do hereby proclaim May 5-11, 2024 as



“Professional Municipal Clerks Week ”

in the City of Manvel, Texas, and further extend appreciation to the City of Manvel Municipal Clerk, Tammy Bell, and Assistant Municipal Clerk Alyssa Deaton for the vital services they perform and their exemplary dedication to the City of Manvel.

In witness thereof, I have hereunto set my hand and
caused the seal of the City of Manvel to be affixed.

Dan Davis, Mayor
April 15, 2024

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

LARRY AKERY, COUNCIL PLACE 1
DAVID LANDS, COUNCIL PLACE 2
HARRY OPLIGER, COUNCIL PLACE 3
ED PERRY, COUNCIL PLACE 4
CRYSTAL SARMIENTO, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6



DAN DAVIS, MAYOR
DAN JOHNSON, CITY MANAGER
TAMMY BELL, CITY SECRETARY

MISSION STATEMENT: "The City of Manvel will continue to be a unique, vibrant, growth-managed community that will meet the needs of its citizens through the efforts of local government and civic-minded individuals by promoting well-planned development, cost-effective professional management, and competent and responsive municipal services."

MINUTES 4/1/2024

Workshop Session

Mayor Davis called the workshop of the Manvel City Council to order at 5:01 p.m.
Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 Larry Akery
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 4 Ed Perry
City Councilmember Place 5 Crystal Sarmiento (Arrived at 5:11 p.m.)
City Councilmember Place 6 Jerome Hudson

Absent: None

Also Present: Dan Johnson, City Manager
Robert Gervais, City Attorney
Keith Traylor, Chief of Police
Tammy Bell, City Secretary
Rosa Donaire, Finance Director
Robbie Hall, Director of Public Works
Chad Dumont, Director of Personnel
Evan Duvall, Zoning Official
Brooke Cyphers, Public Information Officer

Presentation/Discussion on the Fiscal Year 2022-2023 Audit as presented by Belt Harris Pechacek, LLLP.

Update provided by Stephanie Harris.

April 1, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Discussion on Accessory Dwelling Units (ADU's).

Council discusses ADUs and are open to allowing them, with specific guidelines/rules in place.

City Attorney Robert Gervais suggests that Council provide PD&Z with some bullet points to work off of to get an ordinance created for them to approve and recommend to Council.

Discussion on the Design Criteria Manual (including fencing requirements).

Mayor suggests Council move forward with the changes for the DCM for fencing, Fire Marshal, some others, but let's maybe have a future agenda item to talk a little bit more about the pump detention piece.

Discussion on any topic as listed on the current agenda.

Regular Session

Call To Order

Mayor Davis called the meeting of the Manvel City Council to order at 6:14 p.m.

Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 Larry Akery
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 4 Ed Perry
City Councilmember Place 6 Jerome Hudson
City Councilmember Place 5 Crystal Sarmiento

Absent: None

Also Present: Dan Johnson, City Manager
Robert Gervais, City Attorney
Keith Traylor, Chief of Police
Tammy Bell, City Secretary
Rosa Donaire, Finance Director
Robbie Hall, Director of Public Works
Chad Dumont, Director of Personnel
Evan Duvall, Zoning Official
Brooke Cyphers, Public Information Officer

Invocation

Inspirational Reading - Councilmember Sarmiento

Pledge

Presentations

Proclamations

National Public Safety Telecommunicators Week - April 14-20, 2024

Fair Housing Month - April, 2024

National Child Abuse Prevention Month - April, 2024

Certificates

Teen Court

Manvel FFA Chapter

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 457.0 ACRES OF LAND GENERALLY LOCATED EAST OF STATE HIGHWAY 288, NORTH OF HIGHWAY 6, GENERALLY SOUTH OF DEL BELLO BOULEVARD, AND WEST OF FARM TO MARKET 1128, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) AND AMENDMENTS TO THE VALENCIA PLANNED UNIT DEVELOPMENT; 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.

Mayor Davis opened the Public Hearing at 6:45 p.m.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

Mayor Davis closed the Public Hearing at 6:45 p.m.

Public Comments: "Comment Card" Required

Paul Moore, Charlotte Drive - Noise complaint about church.

Martina McNickels - comments about ADUs

City Manager Update

PD Groundbreaking - Wednesday, April 3rd

Chad Dumont - changes to the personnel policy upcoming

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve the second and final reading of Ordinance 2024-O-15;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 71. "UTILITIES" BY AMENDING SECTION 71-5 SEWER, TO PROVIDE FOR AVERAGE BILLING; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.
3. Approve the second and final reading of Ordinance No. 2024-O-03;
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 2.713 ACRE TRACT OF LAND IN THE H.T & B.R.R. CO. SURVEY, SECTION 62, ABSTRACT NO. 484, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF BISSELL ROAD (50 FOOT WIDE) LOCATED WEST OF MERIDIANA PARKWAY AND EAST OF THE GCWA CANAL; 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 OWNER(S); PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT. (Forwarded with favorable recommendation by PD&Z 6/0)

April 1, 2024 MANVEL CITY COUNCIL MEETING MINUTES

4. Approve the second and final reading of Ordinance No. 2024-O-13;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 1,735 ACRES of land GENERALLY LOCATED EAST OF STATE HIGHWAY 288 AND SOUTH OF HIGHWAY 6 FROM OPEN PLANNED UNIT DEVELOPMENT (O-PUD) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE MERIDIANA PLANNED UNIT DEVELOPMENT AND RENAMING THIS DEVELOPMENT FROM SEVEN OAKS RANCH TO THE MERIDIANA DEVELOPMENT; 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. (Forwarded with favorable recommendation by PD&Z 6/0)
5. Acceptance of infrastructure improvements for Manvel Town Center Private Paving 1A to begin the Two-Year Maintenance Period.
6. Final acceptance of infrastructure improvements for Manvel Town Center Public Utilities Phase 1 B and release the associated maintenance bond.
7. Final acceptance of infrastructure improvements for Manvel Town Center Water Plant and release the associated maintenance bond.
8. Acceptance of infrastructure improvements for Pomona Section 25 to begin the Two-Year Maintenance Period.

Councilmember Hudson made the motion to approve the Consent Agenda. Councilmember Lands seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Items Removed from Consent Agenda - None

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-12;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 457.0 ACRES OF LAND GENERALLY LOCATED EAST OF STATE HIGHWAY 288, NORTH OF HIGHWAY 6, GENERALLY SOUTH OF DEL BELLO BOULEVARD, AND WEST OF FARM TO MARKET 1128, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) AND AMENDMENTS TO THE VALENCIA PLANNED UNIT DEVELOPMENT; 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. (Forwarded with favorable recommendation by PD&Z 4/1)

Councilmember Hudson made the motion to approve. Councilmember Akery seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City

April 1, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None
Absent: None
Abstained: None

2. Consideration and possible action on a subdivision variance request seeking to vary Chapter 62, Sections 62-108(a) (4, 5, and 11), lot dimensions, residential lots not served by public water and sewer, and a flag or key-shaped lot, for an approximate 0.9445-acre tract of land generally located 475 feet southwest from the southwest corner of Patterson Road and Chocolate Bayou Road (PID 711015).

Evan Duvall - City staff is not recommending approval of this variance request to Chapter 62, Sections 62-108(a)(4, 5, and 11), lot dimensions, residential lots not served by public water and sewer less than one acre, and a flag or key shaped lot as this property was previously created in a non-conforming configuration.

If Council goes against staff's recommendation, the following conditions are recommended:

1. This agreement is for single family residential development only and including all accessory structures and does not apply to any other development
2. All right-of-way required for Patterson road should be dedicated by separate instrument prior to any plat or plat process with the city
3. Go through the ZBOA for an approval of the less than one acre lot in the open single family district

Applicant, Mary, spoke to Council.

Mayor Davis made the motion to approve with the three conditions. Councilmember Sarmiento seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None
Absent: None
Abstained: None

3. Consideration and possible action to approve a subdivision variance request seeking to vary Chapter 62, Section 62-116(a), structures near pipelines, for an approximately 0.2311-tract of land located at 9706 Soto Street (PID 702290) and authorize the Mayor to execute the Development Agreement.

Evan Duvall - The City staff is recommending conditional approval of this variance request to Chapter 62, Sections 62-116 structures near pipelines as it will not be detrimental to the public. Recommended conditions of approval.

1. This Variance is only for the 20' x 16' patio cover as approved in permit #24-000152.
2. No other permanent structures can encroach into this required building line setback.

Councilmember Hudson made the motion to approve with conditions. Councilmember Akery seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5

April 1, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
No: None
Absent: None
Abstained: None

4. Consideration and possible action to approve the Fiscal Year 2022-2023 Audit as presented by Belt Harris Pechacek, LLLP.

Councilmember Perry made the motion to approve. Councilmember Lands seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
No: None
Absent: None
Abstained: None

5. Consideration and possible action to direct staff regarding Accessory Dwelling Units (ADU's).

Mayor Davis made the motion motion to direct staff to prepare guidelines and a checklist to ultimately present before Council and PD&Z. Councilmember Lands seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
No: None
Absent: None
Abstained: None

6. Consideration and possible action to direct staff on amending the Design Criteria Manual.

Mayor Davis made the motion to direct staff to move forward with drafting a changes to the DCM. Councilmember Sarmiento seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
No: None
Absent: None
Abstained: None

7. Consideration and possible action to approve Ordinance 2024-O-18;
AN ORDINANCE AMENDING ORDINANCE NO. 2023-O-32 AMENDING THE CITY FISCAL YEAR 2024 BUDGET ENDING SEPTEMBER 30, 2024, BY AMENDING THE GENERAL FUND BUDGET TO FUND THE INSTALLATION OF THE FLOCK CAMERAS ON ALL ENTRY POINTS OF THE CITY. DIRECTING THE BUDGET OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET WITH THE CITY SECRETARY AND WITH THE OFFICE OF THE BRAZORIA COUNTY CLERK AND PROVIDING THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Rosa Donaire and Dan Johnson presented to Council.

Councilmember Sarmiento made the motion to approve. Councilmember Perry seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

8. Consideration and possible action to approve Resolution 2024-R-11;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL SUPPORTING MANVEL POLICE DEPARTMENT'S PARTICIPATION IN THE EXPLORER CLUB PROGRAM.

Chief Traylor presented the agenda item to council.

Mayor Davis made the motion to approve. Councilmember Opliger seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Mayor and Council Comments

Councilmember Lands - starting a \$5,000 scholarship in memory of his late father for Manvel High School students entering Engineering field. It will be called the Jack F. Lands Jr Memorial Scholarship Fund.

Adjourn

Councilmember Hudson made the motion to adjourn the meeting at 7:49 p.m. Councilmember Akery seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

CERTIFICATION

TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS



CITY COUNCIL DATA SHEET

MEETING DATE: April 1, 2024

TOPIC: Consideration and possible action regarding amending the zoning ordinance by changing the zoning classification of 457.0 acres of land generally located east of State Highway 288, North of Highway 6, Generally South of Del Bellow Boulevard, and West of Farm to Market 1128, from Single-family Residential District (SFR) and Planned Unit Development to Planned Unit Development (PUD) for the Valencia Planned Unit Development and adopt the amended Valencia Planned Unit Development document.

BACKGROUND: The Valencia Planned Unit Development (PUD) is primarily a residential project that consists of approximately 457.0 acres of land and is located east of State Highway 288, north of Highway 6, generally south of Del Bello Boulevard, and generally west of Farm to Market 1128. The Valencia Planned Unit Development was approved on August 16, 2024, under Ordinance #2021-O-18. This amendment proposes to add intends to add 18.6 acres to the development. These proposed amendments have been outlined within the attached staff report.

STAFF RECOMMENDATION: Staff recommends the PD&Z recommends approval of Ordinance No. 2024-O-12 as the proposed amendments to the Valencia Planned Unit Development (PUD) are following the goals of the City and will be a majority of single-family detached residences.

PD&Z DISCUSSION: At the March 25, 2024, meeting of the Planning, Development and Zoning Commission ("the PD&Z"), a public hearing was held during which no comments from the public were received. The PD&Z discussion included clarification regarding the new commercial tract on the southeast corner of Charlotte and Pollard Street. The Drill site location was discussed, and any development would require compliance with the City's Ordinances, which have a required 2,000 distance from residential homes.

PD&Z RECOMMENDATION: The PD&Z Commission recommended approval of Ordinance No. 2024-O-12 with a vote of four (4) "Yeas" to one (1) "Nays" at the March 25, 2024, meeting.

ATTACHMENTS Staff Report, Ordinance No. 2024-O-12, Proposed PUD Document.
--

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER	FINANCE DIRECTOR APPROVAL _____
--------------------------------	--

Evan DuVall Zoning Administrator	CITY MANAGER APPROVAL _____
-------------------------------------	------------------------------------

**Staff Report: Summary of Proposed Valencia
Planned Unit Development (PUD) Amendment**

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Introduction: The Valencia Planned Unit Development (PUD) is primarily a residential project that consists of approximately 457.0 acres of land and is located east of State Highway 288, north of Highway 6, generally south of De Bell Boulevard, and generally west of Farm to Market 1128. The Valencia Planned Unit Development was approved on August 16, 2024, under Ordinance #2021-O-18. This amendment proposes to add intends to add 18.6 acres to the development and have the following proposed amendments. These modifications have been outlined below in two categories.

1. Proposed Substantial Changes.

- a. Adding an Additional Commercial Tract
- b. Modifications of signage requirements
- c. Single-family Section C-08 and Boulevard Entrance
- d. Charlotte Roadway Expansion
- e. Drill Site/Open Space location.

2. Minor Changes.

- a. Circulation on parkland dedication requirements
- b. Specialty Residential Product and added conceptual standards for zero lot line and zipper lot homes.

3. Public Hearing Comments from 3/25/2024 PD&Z

- a. No comments were received.

1. Proposed Substantial changes:

- a. **Adding an Additional Commercial Tract:** This amendment adds a 1.5-acre commercial tract on the southeast corner of Charlotte Street and Pollard

Boulevard (See exhibit one and two). This area is shown in the plan as C-06 and is adjacent to Lake B within the Valencia development.

b. Modifications of signage requirements: The signage section has been modified the existing regulations for Primary Entry Monuments, Secondary Entry Signs, Temporary Construction/Sales Signs, and Temporary Community Signs.

- i. **Primary Entry Monuments:** The entry monument was modified to be a sign that is twenty (20) feet in height, sixty (60) feet in length, maximum area of 400 square feet and twenty (20) feet in depth. This was modified from a maximum of 35' tall, a twenty (20) by twenty (20) foot tower, eighty (80) feet in length, and a maximum of 450 square feet. This amendment is a further clarification of the signage requirements and is less than the previously approved primary entry monument.
- ii. **Secondary Entry Signs:** The secondary entry monument sign has been changed to be no greater than 25' in height, forty (40) feet in length, and fifteen (15) feet in depth. A water cistern of twenty-five (25) feet in height by fifteen (15) feet in length. The combined area of this tower and secondary monument sign shall not be over 400 square feet. The previous secondary entry signs were a maximum of twelve (12) feet tall, by twelve (12) feet for the tower footprint, and the blade wall with a maximum height of eight (8) feet and thirty (35) feet in length, and a maximum of 150 square feet. Although this is an increase in sign height, these signs will assist in branding this development within the city.
- iii. **Temporary Construction Signs/Sales signs:** Temporary construction signs have been changed to a maximum of sixty-four (64) square feet from the previous amendment of 32 square feet. The maximum height remains the same as previous at eight (8) feet in height and eight (8) feet in width. These signs will be removed when the principal building site is occupied.
- iv. **Temporary Community Signs:** A total of ten (10) community signs are proposed along Pollard Boulevard, State Highway 6, and Del Bello Boulevard. This proposal has an increase of two signs allowed on Pollard Boulevard to make a total of four, two additional signs on Del Bello Boulevard to make a total of four, and two signs on State Highway 6 where there were none previously. These offsite signs will continue to be a maximum of 128 square feet with a maximum of 10 feet in height and be removed 30 days following the permanent resident occupying the last model home.

c. Single-family Section C-08 and Boulevard Entrance: This seven-acre single-family residential section is a total seven acres and proposes to utilize a Boulevard

entrance from a future extension of Charlotte Roadway. This would match similar residential sections in the Lakeland subdivision located just east of this area.

- d. **Charlotte Roadway Expansion:** A This proposal puts in place the requirements for the expansion of Charlotte Street with the development of residential and an approved 380 development agreement with City Council. Currently, Charlotte Street was not improved by Lakeland to easily connect to this development.
- e. **Drill Site/Open Space location::** The existing drill site location has been moved easterly within the development adjacent to section C-08. This area has been designated as open space and will be utilized as open space within the community. Any drill site within the City of Manvel must adhere to strict requirements found within the City's Sec. 35-101 of the Oil and Gas Wells. These strict requirements include a minimum of 2,000 feet from any residential building or subdivision deed restricted to residential use.

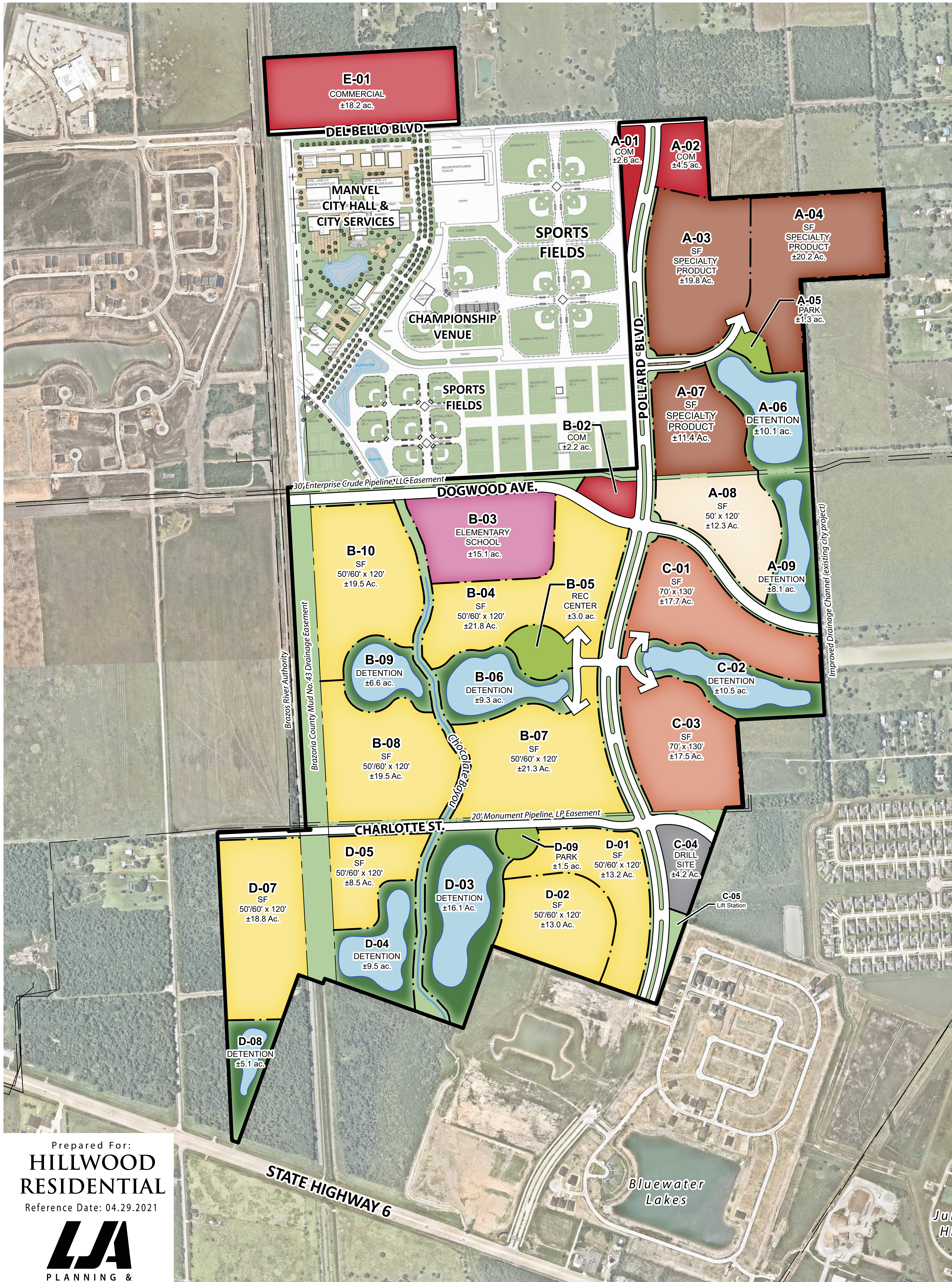
2. Proposed Minor changes.

- a. **Clarification of Parkland Dedication requirements:** Parkland dedication shown in the plans is for 1,100 proposed single-family units. If this development has an increase or decrease in units, these will be done proportionally with one acre of parkland for every 100 proposed single-family lots.
- b. **Specialty Residential Products Exhibits:** Exhibits have been added for the specialty residential products of zero-lot line, and zipper lot homes.



3. March 25, 2024 – PD&Z Public hearing comments and responses

- a. There were no comments received during the public hearing on this proposed Valencia PUD amendment.



Prepared For:
**HILLWOOD
RESIDENTIAL**
Reference Date: 04.29.2021

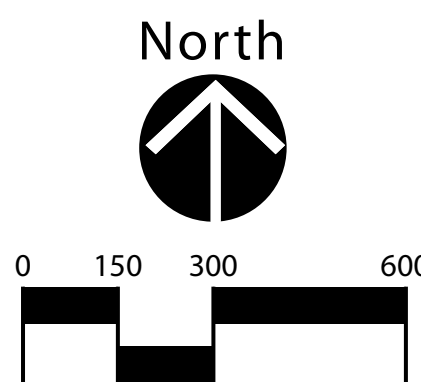
LJA
PLANNING &
LANDSCAPE
ARCHITECTURE

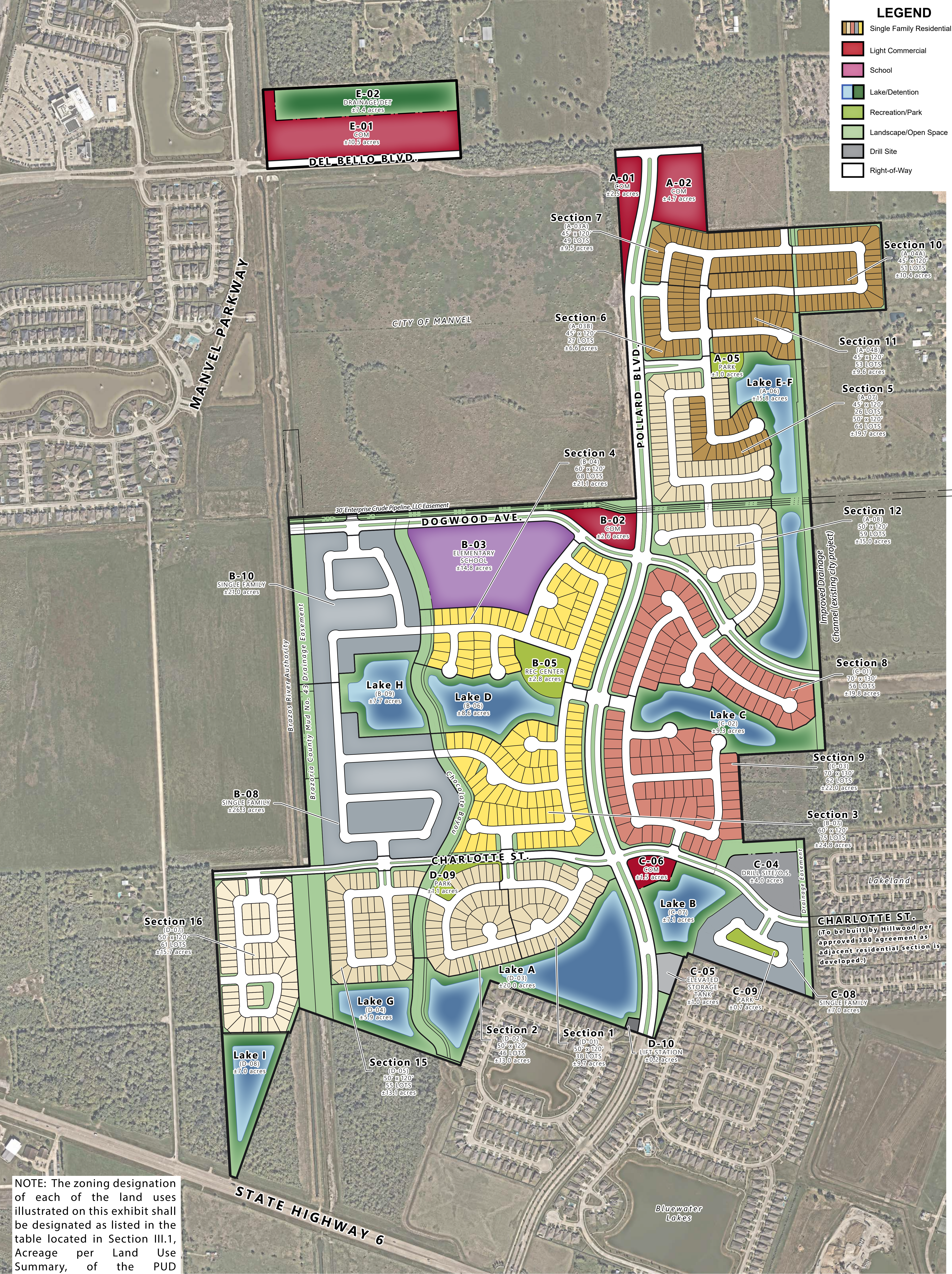
3600 W. Sam Houston Pkwy S, Suite 600
Houston, Texas 77042
713.953.5200

© Copyright 2021 LJA Engineering, Inc. Drawings, written material, and design concepts provided is considered property of LJA & shall not be reproduced in part or whole in any form or format without written consent of LJA.

This exhibit is an illustrative representation for presentation purposes only and should not be used for computation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, flood plains, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, concerning the actual design, accuracy, location, and character of the facilities shown on this exhibit are intended.

EXHIBIT E
Planned Unit Development
Conceptual Land Use Exhibit
SOWELL TRACT
±438.4 Acres of Land
Manvel, Texas





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

ORDINANCE NO. 2024-O-12

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 457.0 ACRES OF LAND GENERALLY LOCATED EAST OF STATE HIGHWAY 288, NORTH OF HIGHWAY 6, GENERALLY SOUTH OF DEL BELLO BOULEVARD, AND WEST OF FARM TO MARKET 1128, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) AND AMENDMENTS TO THE VALENCIA PLANNED UNIT DEVELOPMENT; 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.

* * * * *

WHEREAS, LJA Engineering, Inc., (“Applicant”), on behalf of Hillwood Residential, L.P., has made application to the City to amend the Valencia Planned Unit Development to add twenty acres of land to make the development for a total of approximately 457 acres; and

WHEREAS, the Applicant, has requested to rezone the total 457 acres of land from Single-Family Residential District and Planned Unit Development (PUD) to Planned Unit Development (PUD); and

WHEREAS, pursuant to Section 7 of the City’s Zoning Ordinance, the developer has modified the prepared development plan covering the property; and

WHEREAS, the Planning Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on said rezone and development plan amendment; and

WHEREAS, the Planning, Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on such request; and

WHEREAS, the Planning, Development, and Zoning Commission has recommended in its report the approval of such request, and the City Council deems it appropriate to approve said rezoning and development plan amendments; now, therefore,

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

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

Section 2. The zoning classification of 457 acres generally east of State Highway 288, North of Highway 6, generally south of Del Bello Boulevard, and West of Farm to Market Road 1128, is hereby changed from Single-Family Residential (SFR) and Planned Unit Development (PUD) is hereby changed to Planned Unit Development (PUD) District as more particularly described in Exhibit “A”.

Section 3. The City Council has reviewed the amended development plan attached hereto as Exhibit “B” (the “Development Plan”) and complies with the findings in accordance with following Section 77-29(o)(5) of the City’s Zoning Ordinance.

Section 4. Development of the Property shall strictly comply with the **Valencia PUD Document**, attached hereto as Exhibit “B” and made a part of hereof for all purposes.

Section 5. The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said land, as described and provided in Section 2

above, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 6. The City Council hereby finds and determines that said rezoning comports to the City's comprehensive land use plan, and to the extent of any conflict, amends said comprehensive land use plan. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Manvel, save and except the change in zoning classification of said tracts as described above.

Section 7. In the event any section, paragraph, subdivision, 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 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 and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 8. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this
_____ day of _____, 2024.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

EXHIBIT "A"

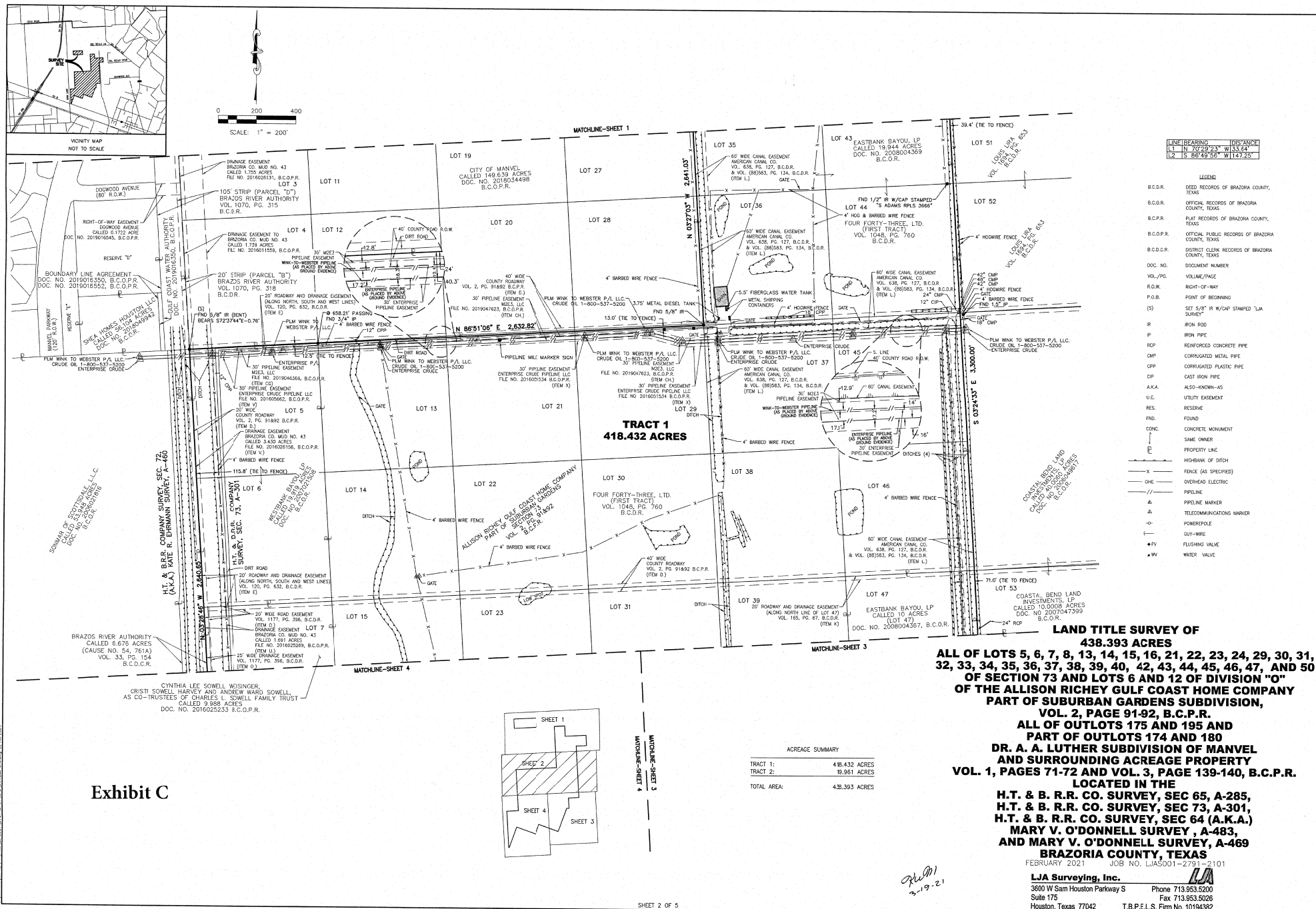
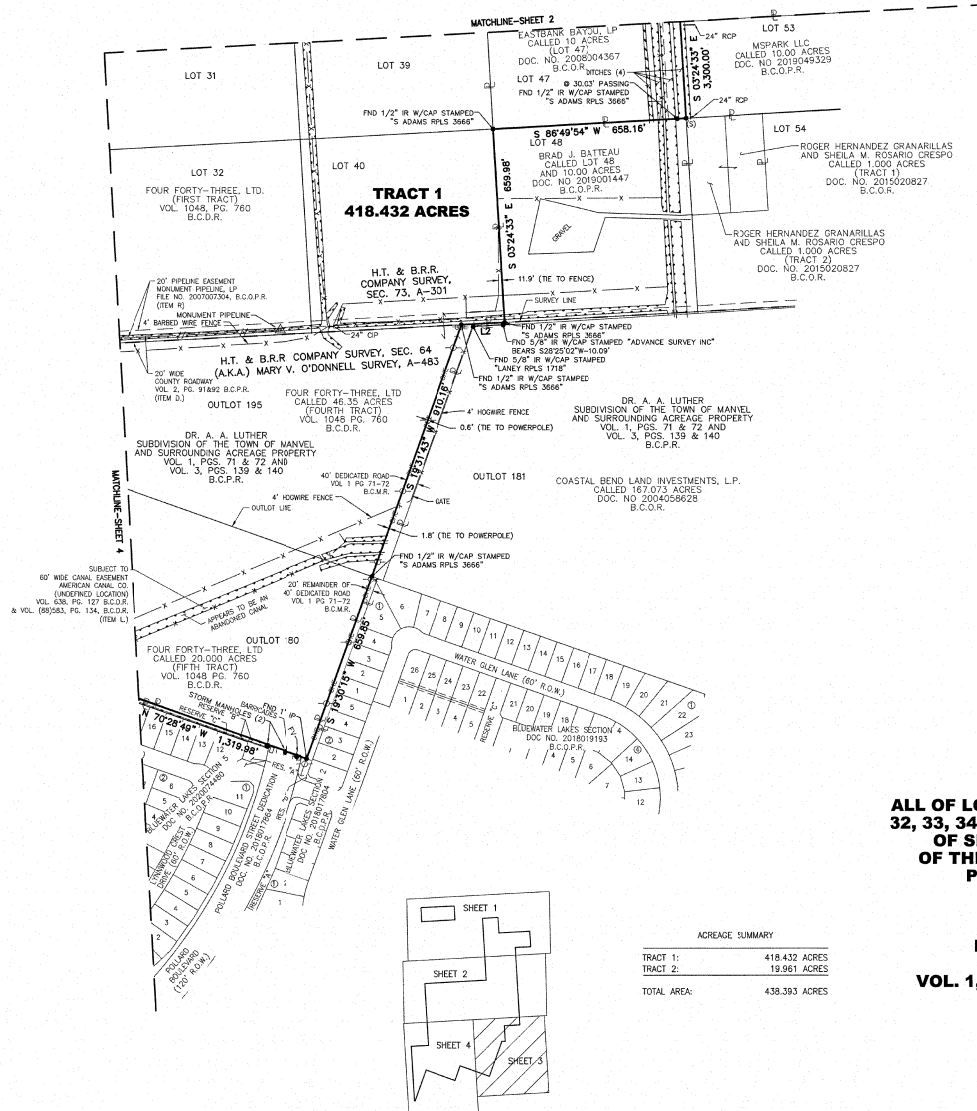
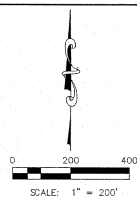


Exhibit C

VICINITY MAP
NOT TO SCALE



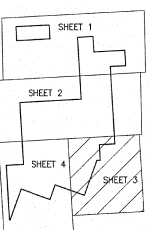
LINE	BEARING	DISTANCE
L1	N 70°29'23" W	33.64'
L2	S 86°43'56" W	147.25'

LEADS	
B.C.D.R.	DEED RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.O.R.	OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.P.R.	PLAT RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.O.P.R.	CITY PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.D.C.R.	DISTRICT CLERK RECORDS OF BRAZORIA COUNTY, TEXAS
DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME/PAGE
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
SET	SET 5/8" IR W/CAP STAMPED "JA"

RI	IRON ROD
RP	ROCK PILE
RCP	REINFORCED CONCRETE PIPE
CRP	CORRUGATED METAL PIPE
CPP	CORRUGATED PLASTIC PIPE
CP	CAST IRON PIPE
A.K.A.	ALSO-KNOWN-AS
U.E.	UTILITY ALIGNMENT
RES.	RESERVE
FND.	FOUND
CONC.	CONCRETE MONUMENT
—	SAME OWNER
—	PROPERTY LINE
—	MIDSPAN OF DITCH
—	PILES (REQUIRED)
—	OVERHEAD ELECTRIC
—	PIPELINE
—	PIPELINE MARKER
—	TELECOMMUNICATIONS MARKER
—	POWERPOLE
—	GLY-BURE
—	FLUSHING VALVE
—	WATER VALVE

**LAND TITLE SURVEY OF
438.393 ACRES
ALL OF LOTS 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31,
32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, AND 50
OF SECTION 73 AND LOTS 6 AND 12 OF DIVISION "O"
OF THE ALLISON RICHEY GULF COAST HOME COMPANY
PART OF SUBURBAN GARDENS SUBDIVISION,
VOL. 2, PAGE 91-92, B.C.P.R.
ALL OF OUTLOTS 175 AND 195 AND
PART OF OUTLOTS 174 AND 180
DR. A. A. LUTHER SUBDIVISION OF MANVEL
AND SURROUNDING ACREAGE PROPERTY
VOL. 1, PAGES 71-72 AND VOL. 3, PAGE 139-140, B.C.P.R.
LOCATED IN THE
H.T. & B. R.R. CO. SURVEY, SEC 65, A-285,
H.T. & B. R.R. CO. SURVEY, SEC 73, A-301,
H.T. & B. R.R. CO. SURVEY, SEC 64 (A.K.A.)
MARY V. O'DONNELL SURVEY, A-483,
AND MARY V. O'DONNELL SURVEY, A-469
BRAZORIA COUNTY, TEXAS**

ACREAGE SUMMARY	
TRACT 1:	418.432 ACRES
TRACT 2:	19.961 ACRES
TOTAL AREA:	438.393 ACRES



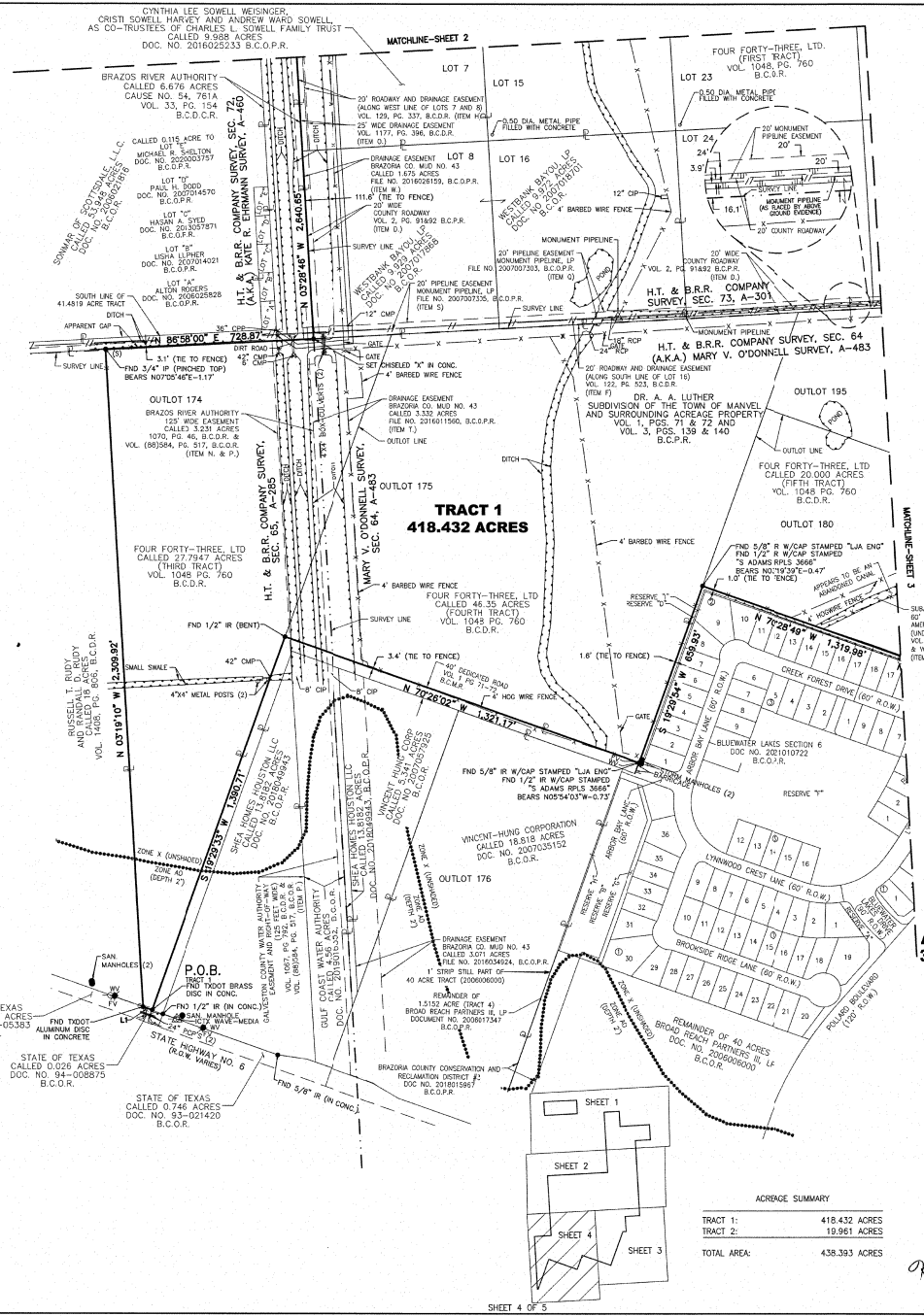
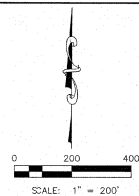
SHEET 3 OF 5

3-19-21

FEBRUARY 2021 JOB NO. LJA001-2791-21

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

[illegible]

LINE	BEARING	DISTANCE
1	N 29°29'23"	W 33.64'
12	S 80°49'50"	W 142.75'

LEGEND

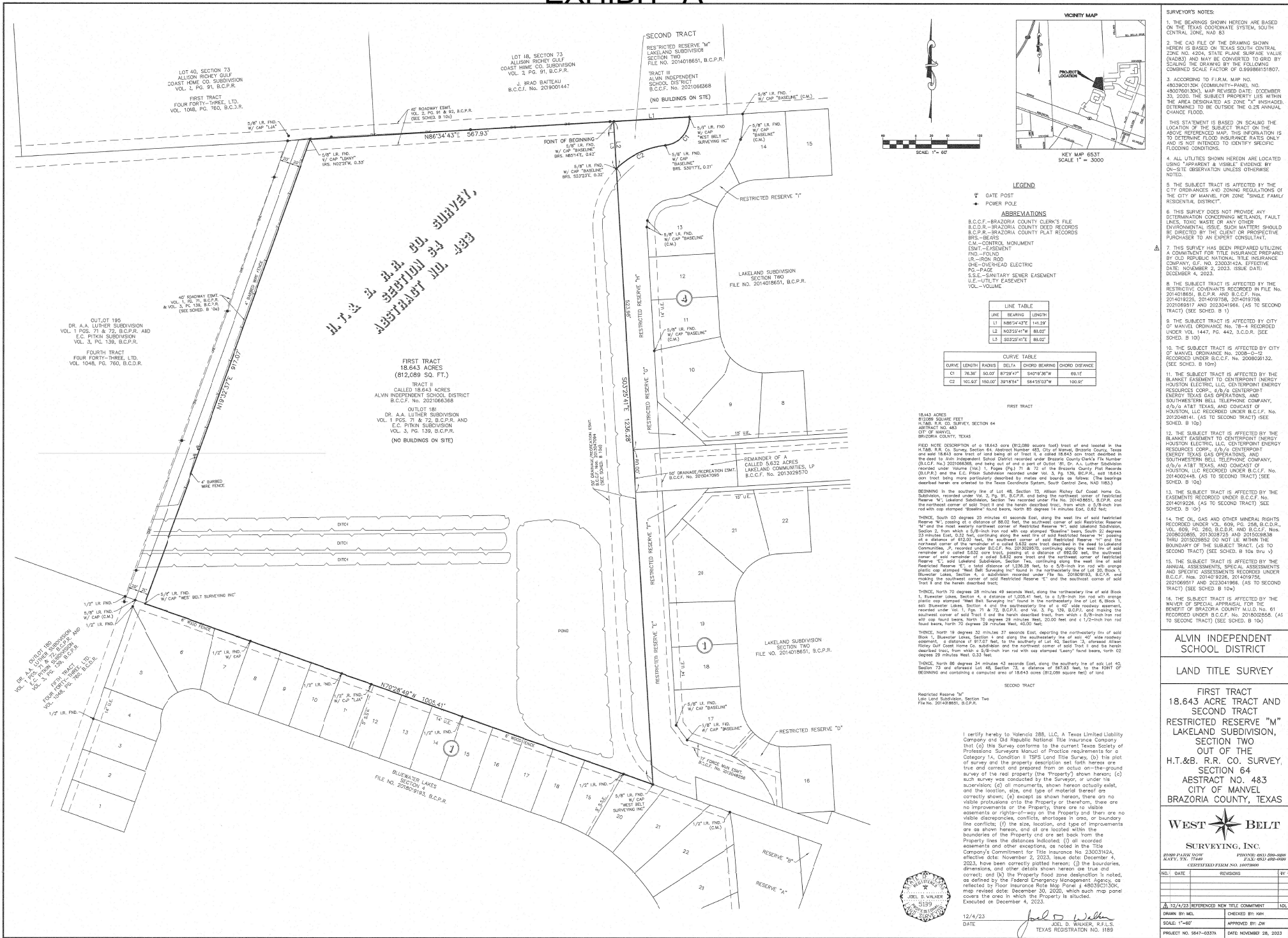
B.C.D.R.	DEED RECORDS OF BRAZORIA COUNTY, TEXAS
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DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME/PAGE
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
(S)	SET 5/8" W/1/4" STAMPED "LJ SURVEY"
IR	IRON ROD
IP	IRON PIPE
RCP	REINFORCED CONCRETE PIPE
CM	CORRUGATED METAL PIPE
CNP	CORRUGATED PLASTIC PIPE
CIP	CAST IRON PIPE
A.K.A.	ALSO-KNOWN-AS
U.E.	UTILITY EASEMENT
RES.	RESERVE
FND.	FOUND
CONC.	CONCRETE MONUMENT
	SAME OWNER
	PROPERTY LINE
	HIGHBANK OF DITCH
	FENCE (AS SPECIFIED)
	OVERHEAD ELECTRIC
	PIPELINE
	PIPELINE MARKER
	TELECOMMUNICATIONS MARKER
	POWERPOLE
	QUAY-WIRE
	FLUSHING VALVE
	WATER VALVE

**LAND TITLE SURVEY OF
438.393 ACRES
ALL OF LOTS 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31,
32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, AND 50
OF SECTION 73 AND LOTS 6 AND 12 OF DIVISION "O"
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LOCATED IN THE
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MARY V. O'DONNELL SURVEY, A-483,
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BRAZORIA COUNTY, TEXAS**

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

Exhibit C

EXHIBIT "A"



SURVEYOR'S NOTES:			
1. THE BEGINNINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83.			
2. THE CAD FILE OF THE DRAWING SHOWN HEREON IS BASED ON TEXAS SOUTH CENTRAL ZONE, NAD 83, STATE PLANE SURFACE VALUE (NAD83) AND MAY BE CONVERTED TO GRID BY SCALING THE DRAWING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.999999151007.			
3. ACCORDING TO F.L.R.M. MAP NO. 4803020120K (COMMUNITY-PANEL NO. 4803020120K) MAP REVISED DATE 12/06/2008, THE SUBJECT PROPERTY LIES WITHIN THE AREA DESIGNATED AS ZONE "X" (FLOODING DETERMINED TO BE OUTSIDE THE 0.25 ANNUAL CHANCE FLOOD).			
4. THIS STATEMENT IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE ABOVE-REFERENCED MAP. NEITHER THE SURVEYOR NOR THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY TO DETERMINE FLOOD INSURANCE RATES ONLY AND HAS NO INTENT TO IDENTIFY SPECIFIC FLOODING CONDITIONS.			
5. ALL UTILITIES SHOWN HEREON ARE LOCATED USING "APPARENT & VISIBLE" EVIDENCE BY ON-SITE OBSERVATION UNLESS OTHERWISE NOTED.			
6. THE SUBJECT TRACT IS AFFECTED BY THE CITY ORDINANCES AND ZONING REGULATIONS OF THE CITY OF MANVEL, FOR ZONE "SINGLE FAMILY RESIDENTIAL DISTRICT".			
7. THIS SURVEY DOES NOT PROVIDE ANY DETERMINATION CONCERNING MENDACIOUS, FAULT LINES, TOXIC WASTE OR ANY OTHER PROSPECTIVE ENVIRONMENTAL ISSUE. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.			
8. THIS SURVEY HAS BEEN PREPARED UTILIZING A COMMITMENT FOR TITLE INSURANCE PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, OF NO. 230334-01, EFFECTIVE DATE, NOVEMBER 2, 2023. (SEE DATE: DECEMBER 4, 2023).			
9. THE SUBJECT TRACT IS AFFECTED BY THE RESTRICTIVE COVENANTS RECORDED IN FILE NO. 2014018651, B.C.P.R. AND B.C.P.R. NO. 2014018652, 2014018653, 2014018654, 2014018655, 2014018656, 2014018657, 2014018658, 2014018659, 2014018660, 2014018661, 2014018662, 2014018663, 2014018664, 2014018665, 2014018666, 2014018667, 2014018668, 2014018669, 2014018670, 2014018671, 2014018672, 2014018673, 2014018674, 2014018675, 2014018676, 2014018677, 2014018678, 2014018679, 2014018680, 2014018681, 2014018682, 2014018683, 2014018684, 2014018685, 2014018686, 2014018687, 2014018688, 2014018689, 2014018690, 2014018691, 2014018692, 2014018693, 2014018694, 2014018695, 2014018696, 2014018697, 2014018698, 2014018699, 2014018700, 2014018701, 2014018702, 2014018703, 2014018704, 2014018705, 2014018706, 2014018707, 2014018708, 2014018709, 2014018710, 2014018711, 2014018712, 2014018713, 2014018714, 2014018715, 2014018716, 2014018717, 2014018718, 2014018719, 2014018720, 2014018721, 2014018722, 2014018723, 2014018724, 2014018725, 2014018726, 2014018727, 2014018728, 2014018729, 2014018730, 2014018731, 2014018732, 2014018733, 2014018734, 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EXHIBIT "A"

NOTES:

1) ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83, 1983 ADJ.
2) THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CHICAGO TITLE OF TEXAS, LLC, AS AGENT FOR CHICAGO TITLE INSURANCE COMPANY, OF NO. CCH-COM-CIT0703337, HAVING AN EFFECTIVE DATE OF MARCH 3, 2021, AND AN ISSUED DATE MARCH 10, 2021. THE SURVEYOR DID NOT RESEARCH THE SUBJECT TRACT.

THE FOLLOWING ITEMS IN SCHEDULE B, ARE AS FOLLOWS:

10 D. ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 91 AND 92 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS; PUBLIC ROAD EASEMENT ALONG THE NORTH PROPERTY LINE (AS TO LOTS 5, 7, 13, 15, 19, 21, 23, 29, 31, 33, 34, 35, 37, 39, 43, 45 AND 47 AND OUTLOTS 174, 175 AND 195, OF TRACT 1);
PUBLIC ROAD EASEMENT ALONG THE SOUTH PROPERTY LINE (AS TO LOTS 6, 8, 14, 16, 22, 24, 30, 32, 34, 36, 38, 40, 42, 44, 46 AND 50, OF TRACT 1 AND TRACT 2);
PUBLIC ROAD EASEMENT ALONG THE WEST PROPERTY LINE (LOTS 5, 6, 7 AND 8, OF TRACT 1 AND LOT 6 OF TRACT 2); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 E. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY
RECORDING DATE: JULY 30, 1913
RECORDING NO: VOLUME 120, PAGE 632, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOTS 5 AND 6, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 F. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY
RECORDING DATE: OCTOBER 9, 1913
RECORDING NO: VOLUME 122, PAGE 553, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 16, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 G. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY
RECORDING DATE: AUGUST 15, 1913
RECORDING NO: VOLUME 123, PAGE 117, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 42, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 H. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME CORPORATION
RECORDING DATE: NOVEMBER 19, 1914
RECORDING NO: VOLUME 129, PAGE 237, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOTS 7 AND 8, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 I. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME CORPORATION
RECORDING DATE: JUNE 25, 1914
RECORDING NO: VOLUME 130, PAGE 301, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 50, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 J. ROAD EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT:
RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY RECORDING DATE: FEBRUARY 27, 1918
RECORDING NO: VOLUME 145, PAGE 645, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO TRACT 2)

10 K. ROAD EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT:
RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY RECORDING DATE: OCTOBER 15, 1920
RECORDING NO: VOLUME 165, PAGE 67, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 47, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 L. LATERAL OR CANAL EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO AMERICAN CANAL COMPANY
RECORDING DATE: NOVEMBER 22, 1955
RECORDING NO: VOLUME 638, PAGE 127, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS AND AS AFFECTED BY INSTRUMENT RECORDED IN VOLUME 680, PAGE 134, DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOTS 25, 33, 34, 36, 38, 39, 41, 43, 45 AND 47 AND OUTLOT 180 AND OUTLOT 195, OF TRACT 1 AND TRACT 2); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 M. LATERAL OR CANAL EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO BRAZOS VALLEY RICE COMPANY
RECORDING DATE: OCTOBER 8, 1962
RECORDING NO: VOLUME 702, PAGE 667, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS AND INSTRUMENT RECORDED IN VOLUME 839, PAGE 578, DEED RECORDS OF BRAZORIA COUNTY, TEXAS
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 50, OF TRACT 1); DOES AFFECT SUBJECT TRACT (LOT 50), NO DEFINED WIDTH.

10 N. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO BRAZOS RIVER AUTHORITY
RECORDING DATE: SEPTEMBER 14, 1970
RECORDING NO: VOLUME 1070, PAGE 46, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO OUTLOTS 174 AND 175, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 O. ROAD AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS REFERENCED IN A DOCUMENT: RECORDING DATE: SEPTEMBER 27, 1973
RECORDING NO: VOLUME 1177, PAGE 396, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS AFFECTS: REFERENCED IN PARAGRAPHS A AND B, TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 7, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 P. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO CALVESTON COUNTY WATER AUTHORITY
RECORDING DATE: AUGUST 24, 1989
RECORDING NO: VOLUME (88) 584, PAGE 517, DEED RECORDS OF BRAZORIA COUNTY, TEXAS AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO OUTLOT 174 AND 175, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 Q. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: MONUMENT PIPELINE, L.P., A TEXAS LIMITED PARTNERSHIP RECORDING DATE: FEBRUARY 6, 2007
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2007007003
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 16, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 R. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: MONUMENT PIPELINE, L.P., A TEXAS LIMITED PARTNERSHIP RECORDING DATE: FEBRUARY 6, 2007
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2007007004
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOTS 24, 32 AND 40, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 S. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: MONUMENT PIPELINE, L.P., A TEXAS LIMITED PARTNERSHIP RECORDING DATE: FEBRUARY 6, 2007
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2007007005
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 8, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 T. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: MARCH 15, 2016
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016011560
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO OUTLOTS 174 AND 175, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 U. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: JUNE 1, 2016
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016025269
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 7, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 V. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: JUNE 6, 2016
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016026156
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOTS 5 AND 6, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
JUDGEMENT RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NO(S): 201605622-IS NOT RELATED TO SAID BOUND NO. 43 EASEMENT

10 W. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: JUNE 6, 2016
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016026159
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOT 8, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 X. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN AN AGREED FINAL JUDGMENT: GRANTED TO: ENTERPRISE GRADE PIPELINE COMPANY LLC
RECORDING DATE: OCTOBER 19, 2016
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016051554 AND INSTRUMENT RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NO(S): 2016050622
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN (AS TO LOTS 5, 13, 21, 29, 37 AND 45, OF TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 Y. PERMANENT EASEMENT AGREEMENT AS EVIDENCED BY MEMORANDUM OF PERMANENT EASEMENT AGREEMENT EXECUTED BY: WESTBANK SAVILL, L.P., A TEXAS LIMITED PARTNERSHIP
RECORDING DATE: SEPTEMBER 28, 2019
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NO(S): 2019046386 (AS TO TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

10 Z. PERMANENT EASEMENT AGREEMENT AS EVIDENCED BY MEMORANDUM OF PERMANENT EASEMENT AGREEMENT EXECUTED BY FOUR PARTNERSHIP, L.L.C., A TEXAS LIMITED PARTNERSHIP
RECORDING DATE: SEPTEMBER 28, 2019
RECORDING NO: UNDER BRAZORIA COUNTY CLERK'S FILE NO(S): 2019047623 (AS TO TRACT 1); DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

3) IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAPS, MAP NO. 48039C030K AND MAP NO. 48030C030K, WITH A REVISED DATE OF DECEMBER 30, 2020, BY GRAPHICAL PLOTTING, THE SUBJECT TRACT LIES WITHIN ZONE "A0" (DEPTH 25) AND ZONE "X" (UNSHADED). ZONE "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN. ZONE "A0" IS DEFINED AS A SPECIAL FLOOD HAZARD AREA WITH FLOOD DEPTHS OF 1 TO 3 FEET (EQUALITY SHEET FLOW OR SLOWING TORRANT). AVERAGE DEPTHS DETERMINED FOR AREAS OF ALLUVIAL FAN FLOODING. VELOCITIES ALSO DETERMINED. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. "LHA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS."

4) MINERAL INTERESTS WERE NOT INVESTIGATED AS A PART OF THIS SURVEY.

5) THIS SURVEY DOES NOT DETERMINE THE LOCATION OF WETLANDS, FAULT LINES, OR OTHER ENVIRONMENTAL ISSUES SHOULD THEY EXIST.

6) THERE IS NO VISIBLE EVIDENCE OF BURIAL GROUNDS OR MAJOR EARTH WORK AT THE TIME OF THE SURVEY.

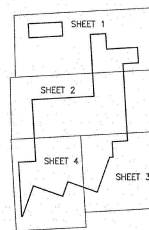
7) THIS SURVEY IS ISSUED IN CONJUNCTION WITH THE METES AND BOUNDS DESCRIPTION BY LJA SURVEYING, INC. OF THE SAME CERTIFICATION DATE SHOWN HEREON, HEREBY REFERENCED AS PART 2 OF 2. THIS SURVEY IS PART 1 OF 2.

**LAND TITLE SURVEY OF
438.393 ACRES
ALL OF LOTS 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31,
32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, AND 50
OF SECTION 73 AND LOTS 6 AND 12 OF DIVISION "O"
OF THE ALLISON RICHEY GULF COAST HOME COMPANY
PART OF SUBURBAN GARDENS SUBDIVISION,
VOL. 2, PAGE 91-92, B.C.P.R.
ALL OF OUTLOTS 175 AND 195 AND
PART OF OUTLOTS 174 AND 180
DR. A. LUTHER SUBDIVISION OF MANVEL
AND SURROUNDING ACREAGE PROPERTY
VOL. 1, PAGES 71-72 AND VOL. 3, PAGE 139-140, B.C.P.R.
LOCATED IN THE**

**H.T. & B. RR CO. SURVEY, SEC 65, A-285,
H.T. & B. RR CO. SURVEY, SEC 73, A-301,
H.T. & B. RR CO. SURVEY, SEC 64 (A.K.A.)
MARY V. O'DONNELL SURVEY, A-483,
AND MARY V. O'DONNELL SURVEY, A-469
BRAZORIA COUNTY, TEXAS**

FEBRUARY 2021 JOB NO. LJA5001-2791-2101

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



ACREAGE SUMMARY	
TRACT 1:	418.432 ACRES
TRACT 2:	19.961 ACRES
TOTAL AREA:	438.393 ACRES

Exh b t

**METES AND BOUNDS DESCRIPTION
OF
TRACT 1**

EXHIBIT "A"

A 418.318 acre (18,221,949 square feet) tract, being all of Lots 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47 and 50 of the Allison-Richey Gulf Coast Home Company Suburban Gardens Subdivision of Section 73, H.T. & B. Railroad Company Survey, Abstract 301, according to the map or plat thereof, recorded in Volume 2, Page 91 and 92, of the Plat Records of Brazoria County, Texas (B.C.P.R.) and being all of those certain tracts conveyed to Westbank Bayou, LP, called 19.919 acres (Lots 5'6), recorded in Brazoria County Clerk's File Number (B.C.C.F. No.) 2007021508, called 9.929 acres (Lot 8), recorded in B.C.C.F. No. 2007017868 and called 9.972 acres (Lot 16), recorded in B.C.C.F. No. 2007018701 and being all of that certain tract conveyed to Charles L. Sowell called 9.988 acres (Lot 7), recorded in Volume 1177, Page 396, deed records of Brazoria County, Texas (B.C.D.R.), and being all of those certain tracts conveyed to Eastbank Bayou, LP, called 10 acres (Lot 33), recorded in B.C.C.F. No. 2007022032, called 19.944 acres (Lots 42-43), recorded in B.C.C.F. No. 2008004369 and called 10 acres (Lot 47), recorded in B.C.C.F. No. 2006004367 and being all of that certain tract conveyed to Four Forty-Three Annex No. 1, LTD., called 10.00 acres (Lot 50), recorded in B.C.C.F. No. 2006045403 and being a part of that certain tract conveyed to Four Forty-Three Ltd. (called 433.09 acres), recorded in Volume 1048, Page 760, B.C.D.R., with said 18,221,949 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the Northeast corner of said Section 73 and an interior corner of the H.T. & B. Railroad Company Survey, Section 74, Abstract 493, recorded in Volume 2, Page 66, B.C.P.R.) and being at the centerline intersection of 60 foot Pollard Drive (as occupied) (Platted as 40 feet - Volume 2, Page 91 and 92, B.C.P.R.) and 60 foot Del Bello Boulevard (as occupied) (Platted as 50 feet - Volume 2, Page 66, B.C.P.R.), marking the northeast corner of the Michael D. Roland and Marcy D. Roland tract (called 5.46 acres), recorded in B.C.C.F. No. 2004072423 and 2007030104, the northwest corner of the Michael C. Black tract (called 4.00 acres), recorded in B.C.C.F. No. 96-015514 and the Northeast corner of said Section 73;

THENCE S86°50'29" W, along and with the common line of Section 73 and 74 and centerline of said 40 foot platted road, at 658.00 feet pass a point marking the southwest corner of Lot 1 of said Section 74 and the southeast corner of the Mary V O'Donnell Survey, Division "O", Abstract 469, recorded in Volume 2, Page 91 and 92, B.C.P.R., from which a 5/8 inch iron rod bears, S 38°48'33" W, 3.08 feet, continuing along and with the common line of Section 73 and Division "O" and centerline of said 40 foot platted road, a total distance of 1974.26 feet (called 1980.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set in the north line of Section 73, the north line of a 60 foot American Canal Company Easement, recorded in Volume 638, Page 127, B.C.D.R., the south line of said Division "O", Abstract 469, the south line of the Sylvia Buffy Orndorff and Dustin Aaron Different tract (called 13.93 acres), recorded in B.C.C.F. No. 2015054435, and the centerline of said 40' platted road, marking the northwest corner of the Katherine Ott Miles tract (called 5 acres), recorded in Volume 1459, Page 1, B.C.D.R., the northeast corner of said Eastbank Bayou, LP tract (Lot 33), and being the common corner of Lot 33 and 41 of said Section 73 at the most northerly Northwest corner and POINT OF BEGINNING of herein described tract:

THENCE S03°24'40" E, along and with the common line of said Lot 33 and 41, a distance of 660.58 feet (called 660.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, marking the southeast corner of said Eastbank Bayou, LP tract (Lot 33), the southwest corner of said Miles tract, the northwest corner of said Eastbank Bayou, LP tract (called 19.944 acres), an interior corner of herein described tract and being the common corner of Lots 33, 41, 42 and 34 of said Section 73;

THENCE N86°49'54" E, along and with the common line of Lots 41, 42, 49 and 50 of said Section 73, a distance of 1314.38 feet (called 1320.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southeast corner of the Jane Hetherington Brown and Norman Paul Brown tract (called 5 acres), recorded in B.C.C.F. No. 2014042893, the southwest corner of the Suzanne Renae Scopel tract (called 5 acres), recorded in B.C.C.F. No. 2005013089, the northwest corner of the Jeffery Wayne Scopel tract (called 1.157 acres), recorded in B.C.C.F. No. 2005013109, the northeast corner of said Four Forty-Three Annex No. 1, LTD. Tract (called 10.00 acres) and the most easterly northeast corner of herein described tract and being the common corner of Lots 49, 55, 56 and 50 of said Section 73;

THENCE S03°25'11" E, along and with the common line of Lots 50 and 56 and east line of said Four Forty-Three Annex No. 1, LTD. tract, a distance of 660.67 feet (called 660.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southwest corner of the Douglas Varner tract (called 1.157 acres), recorded in Volume [91] 906, Page 253, of the official records of Brazoria County, Texas (B.C.O.R.), the northwest corner of the Laura Loterbauer tract (called Minor Plat of 2.50 acres), recorded in B.C.C.F. No. 2018006317, the northeast corner of the Louis Lira tract (called 20 acres), recorded in Volume 1694, Page 653, B.C.D.R. and an angle point for corner of herein described tract and being the common corner of Lots 50, 56, 57 and 51 of said Section 73;

THENCE S86°50'32" W, along and with the common line of Lots 50 and 51, same being the common line of said Four Forty-Three Annex No. 1, LTD. Tract and said Lira tract, a distance of 657.24 feet (called 660.00 feet), to a 5/8 inch iron rod with cap stamped "FMS" set, in the east line of said Eastbank Bayou, LP tract (called 19.944 acres), marking the southwest corner of said Four Forty-Three Annex No. 1, LTD. tract, the northwest corner of said Lira tract, an interior corner of herein described tract and being the common corner of Lots 50, 51, 43 and 42 of said Section 73;

THENCE S03°24'55" E, along and with the common line of Lots 43, 51, 44, 52, 45, 46 and 61 at 1320.21 feet (called 1320.00 feet) pass a point in the centerline of a 40 foot platted road, recorded in Volume 2, page 91 and 92, B.C.P.R. marking the northwest corner of the Coastal Bend Land Investments, LP tract (called 40.0060 acres) (called Lot 61), recorded in B.C.C.F. No. 2006049617 and being the common corner of Lots 44, 52, 61 and 45, continuing for a total distance of 3299.48 feet (called 3300.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southwest corner of the Jose T. Villanueva and Trinidad Villanueva tract (called 5 acres), recorded in B.C.C.F. No. 2004036528, the northwest corner of the Roger Hernandez Gandarillas and Sheila M. Rosario Crespo tract (called 1.000 acre), recorded in B.C.C.F. No. 2015020827, the northeast corner of said Aspect Energy, LLC tract (called 10 acres), the southeast corner of the said Eastbank Bayou, LP tract (called 10 acres) (Lot 47), the most easterly southeast corner of herein described tract and being the common corner of Lots 53, 54, 48 and 47 of said Section 73;

THENCE S86°49'54" W, along and with the common line of Lots 48 and 47, same being the common line of said Eastbank Bayou, LP tract (Lot 47) and said Aspect Energy, LLC tract, a distance of 657.49 feet (called 660.00 feet) to a 1/2 iron rod with cap stamped "Adams RPLS 3666" found in the east line of the said 443.09 acre tract, marking the southwest corner of said Eastbank Bayou, LP tract and the northwest corner of said Aspect Energy, LLC tract, and interior corner of herein described tract and being the common corner of Lots 48, 40, 39 and 47 of said Section 73;

THENCE S03°24'40" E, along and with the common line of Lots 48 and 40, same being the common line of said Aspect Energy, LLC tract and said 443.09 acre tract, a distance of 660.05 feet (called 660.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set in the centerline of a 40 foot platted road, recorded in Volume 2, Page 91 and 92, B.C.P.R., in the called south line of Section 73 and the north line of the H.T. & B. Railroad Company Survey, Section 64, Abstract 483 and the north line of the Dr. A.A. Luther Subdivision of Manvel, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R. and the north line of Outlot 181 of said Dr. A.A. Luther Subdivision, marking the northwest corner of the Coastal Bend Land Investments, LP tract (remainder of a called 167.073 acre tract), recorded in B.C.C.F. No. 2004058628, the southwest corner of said Aspect Energy, LLC tract, an angle point in the east line of said 443.09 acre tract and an angle point for corner of herein described tract and being the common corner of Lots 48 and 40 of said Section 73, from which a 5/8 inch iron rod with cap stamped "Base Line" found marking the southeast corner of said Section 73 bears, S 86°50'11" W, 1975.03 feet;

THENCE S86°50'11" W, continuing along and with the common line of said Section 73, Section 64 and the Dr. A.A. Luther Subdivision, same being the common line of said Outlot 181 and Lot 40, and centerline of said 40 foot platted road, a distance of 147.66 feet to a 5/8 inch iron rod with cap stamped "FMS" set in said common line, marking the northeast corner of the Four Forty-Three, LTD. Tract (called 24.00 acres) (Outlot 195), recorded in Volume 1048, Page 760, B.C.D.R. and an interior corner of herein described tract and being the westerly line of a 40 foot platted road, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R.;

THENCE S19°30'25" W, along and with the easterly line of said Outlot 195 and the westerly line of said 40 foot platted road, at 909.98 feet pass a 1/2 inch iron rod found, marking the southeasterly corner of said Outlot 195 and the northeasterly corner of the Four Forty-Three, LTD. Tract (called 20.00 acres) (North 1/2 of Outlot 180), continuing for a total distance of 1569.69 feet to a 1 inch iron pipe found, marking the southeasterly corner of said 20.00 acre tract, the northeasterly corner of the Beazer Homes Texas, LP tract (called 19.99 acres) (south 1/2 Outlot 180), recorded in B.C.C.F. No. 2016050422 and an angle point in the westerly line of the Beazer Homes Texas, LP tract (called 5.40 acres), recorded in B.C.C.F. No. 2016050422 and the most easterly southeast corner of herein described tract;

THENCE N 70°27'42" W, along and with the common line of said North 1/2 of Outlot 180 and the South 1/2 of Outlot 180, a distance of 1319.95 feet (called 1320.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three, LTD. Tract (called 46.35 acres) (Outlot 175), marking the common corner of the South 1/2 and North 1/2 of Outlot 180 and an interior corner of herein described tract;

THENCE S19°29'54" W, along and with the common line of said 46.35 acre tract and said 19.99 acre tract, same being the common line of Outlot 180 and 175, a distance of 660.47 feet to a 1/2 inch iron rod with cap stamped "LJA Eng" found, in the north line of a 40 foot platted road, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R., marking the most westerly northwest corner of said 5.40 acre tract, the southeasterly corner of said 46.35 acre tract and the southwesterly corner of said 19.99 acre tract and an interior corner of herein described tract;

THENCE N 70°26'20" W, along and with the south line of 46.35 acre tract and the north line of said 40 foot platted road, a distance of 1321.08 feet to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three, LTD. Tract (called 27.7947 acres) (Outlot 174) and the westerly line of said 40 foot platted road, marking the southwesterly corner of said 46.35 acre tract and an interior corner of herein described tract;

THENCE S19°28'54" W, along and with the common line of said 27.7947 acre tract and westerly line of said 40 foot platted road, a distance of 1390.63 feet to a TxDot Brass Disk found in the northwesterly right-of-way (r.o.w.) line of State Highway No. 6 (a.k.a. Morris Avenue) (200' R.O.W.), recorded in B.C.C.F. No. 2013053500, marking the southeasterly corner of said 27.7947 acre tract and the most southerly southeast corner of herein described tract;

THENCE N 70°30'10" W, along the northwesterly r.o.w. line of said State Highway No. 6, a distance of 33.83 feet to a TxDot Brass Disk found, marking the southeasterly corner of the Russell T. Rudy and Randall D. Rudy tract (called 18 acres), recorded in Volume 1408, Page 806, B.C.D.R., the southwesterly corner of said 27.7947 acre tract and the most southerly southwest corner of herein described tract, from which a TxDot Brass Disk found, at the intersection of easterly r.o.w. line of County Road 82 (a.k.a. Iowa Lane) (60' R.O.W. as occupied), recorded in B.C.C.F. No. 2006021816 and the northwesterly r.o.w. line of said State Highway No. 6, marking the southwesterly corner of a 0.217 acre tract, recorded in B.C.C.F. No. 2013053500 bears, N 70°30'10" W, 365.23 feet;

THENCE N 03°19'19" W, along and with the common line of said 27.7947 acre tract and said 18 acre tract, a distance of 2310.10 feet to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, marking the northwest corner of said 27.7947 acre tract and an angle point for corner of herein described tract, from which a 3/4 inch pinched top pipe bears, N 09°17' W, 1.1 feet and from which an iron rod with cap stamped "Kalkomey" found in the easterly r.o.w. line of said County Road 82, marking the northwest corner of said 18 acre tract, bears S 87°00'54" W, 328.14 feet and a 5/8 inch iron rod found in the easterly r.o.w. line of said County Road 82, marking the southwest corner of a called 41.4819 acre tract, recorded in B.C.C.F. No. 2003061748 bears, N 02°13'14" W, 38.07 feet;

THENCE N86°57'38" E, along and with the north line of said 18 acre tract, a distance of 729.52 feet to a 5/8 inch iron rod with cap stamped "FMS" set, at the southwest corner of Section 73 and being in the centerline intersection of two 40 foot platted roads and being the common corner of said Section 73 and the H.T. & B. Railroad Company Survey, Section 72, Abstract 460, marking the southeast corner of the Brazos River Authority tract (called 6.676 acres) (cause no. 54,761A), recorded in Volume 33, Page 154, district clerk records of Brazoria County, Texas (B.C.D.C.R.), the southwest corner of the Brazoria County MUD No. 43 Drainage Easement (called 1.675 acres, recorded in B.C.C.F. No. 2016026159, the southwest corner of said 9.929 acre tract and an interior corner of herein described tract;

THENCE N 03°28'57" W, along and with the common line of said Section 73 and Section 72 and centerline of said 40 foot platted road, at 40.00 feet pass a point marking the southwest corner of a 0.34 acre tract (Parcel 1) out of said called 41.4819 acre tract, continuing for a total distance of 2640.38 feet (called 2640.00 feet) to a 1 inch iron pipe found, marking the northwest corner of a 0.25 acre tract (Parcel 2), the northwest corner of said 19.919 acre tract, the northwest corner of a 3.430 acre drainage easement, recorded in B.C.C.F. No. 2016026156, the northeast corner of said Brazos River Authority tract (called 6.676 acres), the southeast corner of the Brazos River Authority Parcel "D" tract (called 3.18 acres), recorded in Volume 1070, Page 315, B.C.D.R., the southwest corner of the Brazos River Authority Parcel "B" tract (called 0.61 acres), recorded in Volume 1070, Page 318, B.C.D.R., the southwest corner of the Brazoria County Municipal Utility District (M.U.D.) No. 43 Drainage Easement tract (called 1.739 acres), recorded in B.C.C.F. No. 2016011559 and the common corner of Lots 4 and 5, Section 73, from which a 1/2 inch iron rod found in the east r.o.w. line of County Road 82 (a.k.a. Iowa Lane) (60' R.O.W. as occupied), recorded in B.C.C.F. No. 2006021816, marking the southwest corner of the Joan Banneyer tract (called 1.367 acres), recorded in B.C.C.F. No. 2005003981 and the northwest corner of the Sonmar of Scottsdale, LLC tract (called 53.948 acres), bears S 86°37'46" W, 900.42 feet;

THENCE N86°51'03" E, along and with the common line of herein described tract and said Lot 4 and the centerline of a 40 foot platted road, at 657.75 feet (called 660.00 feet) pass a 3/4 inch iron pipe found, marking the northeast corner of said 19.919 acre tract and the southwest corner of the 102929 Brazoria Inc. tract (called 34.90 acres), recorded in B.C.C.F. No. 2005033429 and being the common corner of Lots 4, 12, 13 and 5, and at 1973.99 feet (called 1980.00 feet) pass a 1/4 inch iron pipe found, marking the southeast corner of said 34.90 acre tract and being the common corner of Lots 20, 28, 29 and 21, continuing for a total distance of 2632.44 feet (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" found in the west line of a 60 foot American Canal Company Easement, recorded in Volume 638, Page 127, B.C.D.R., marking an interior corner of said remainder of a 433.09 acre tract and an interior corner of herein described tract and being the common corner of Lots 28, 36, 37 and 29 of said Section 73;

THENCE N 03°27'06" W, along and with the common line of Lots 28, 36, 27, 35, 26, 34, 25 and 33 and the west line of said 60 foot American Canal Company Easement, a distance of 2641.03 feet (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" found in the north line of Section 73, the north line of a said 60 foot American Canal Company Easement, the south line of the Mary V O'Donnell Survey, Division "O", Abstract 469, recorded in Volume 2, Page 91 and 92, B.C.P.R. the south line of the John and Edith Lebourg tract (called 6.978 acres), recorded in B.C.C.F. No. 98-053061, the north line of the Eastbank Bayou, LP tract (called 19.950 acres), recorded in B.C.C.F. No. 2007022032 and the centerline of said 40 foot platted road, marking the most northerly northwest corner of herein described tract and being the common corner of Lot 25 and 33 of said Section 73, from which a 1/2 inch iron rod found bears, S 82°35" E, 14.3 feet;

THENCE N86°50'29" E, along and with the common line of Section 73, Division "O", the centerline of said 40 foot platted road and the north line of said 60 foot American Canal Company Easement, a distance of 659.60' (called 660.00 feet) to the POINT OF BEGINNING and containing a calculated area of 418.318 acres of land.

EXHIBIT "A"

FIRST TRACT

18.643 ACRES
812,089 SQUARE FEET
H.T.&B. R.R. CO. SURVEY, SECTION 64
ABSTRACT NO. 483
CITY OF MANVEL
BRAZORIA COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 18.643 acre (812,089 square foot) tract of land located in the H.T.&B. R.R. Co. Survey, Section 64, Abstract Number 483, City of Manvel, Brazoria County, Texas and said 18.643 acre tract of land being all of Tract II, a called 18.643 acre tract described in the deed to Alvin Independent School District recorded under Brazoria County Clerk's File Number (B.C.C.F. No.) 2021066368, and being out of and a part of Outlot 181, Dr. A.A. Luther Subdivision recorded under Volume (Vol.) 1, Pages (Pg.) 71 & 72 of the Brazoria County Plat Records (B.C.P.R.) and the E.C. Pitkin Subdivision recorded under Vol. 3, Pg. 139, B.C.P.R., said 18.643 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to the Texas Coordinate System, South Central Zone, NAD 1983.)

BEGINNING in the southerly line of Lot 48, Section 73, Allison Richey Gulf Coast Home Co. Subdivision, recorded under Vol. 2, Pg. 91, B.C.P.R. and being the northwest corner of Restricted Reserve "M", Lakeland Subdivision, Section Two recorded under File No. 2014018651, B.C.P.R. and the northeast corner of said Tract II and the herein described tract, from which a 5/8-inch iron rod with cap stamped "Baseline" found bears, North 85 degrees 14 minutes East, 0.62 feet;

THENCE, South 03 degrees 25 minutes 41 seconds East, along the west line of said Restricted Reserve "M", passing at a distance of 88.02 feet, the southwest corner of said Restricted Reserve "M" and the most westerly northwest corner of Restricted Reserve "H", said Lakeland Subdivision, Section 2, from which a 5/8-inch iron rod with cap stamped "Baseline" bears, South 23 degrees 23 minutes East, 0.32 feet, continuing along the west line of said Restricted Reserve "H", passing at a distance of 612.00 feet, the southwest corner of said Restricted Reserve "H" and the northwest corner of the remainder of a called 5.632 acre tract described in the deed to Lakeland Communities, LP, recorded under B.C.C.F. No. 2013029570, continuing along the west line of said remainder of a called 5.632 acre tract, passing at a distance of 692.00 feet, the southwest corner of said remainder of a called 5.632 acre tract and the northwest corner of Restricted Reserve "E", said Lakeland Subdivision, Section Two, continuing along the west line of said Restricted Reserve "E", a total distance of 1,236.28 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found in the northeasterly line of Lot 20, Block 1, Bluewater Lakes, Section 4, a subdivision recorded under File No. 2018019193, B.C.P.R. and marking the southwest corner of said Restricted Reserve "E" and the southeast corner of said Tract II and the herein described tract;

THENCE, North 70 degrees 28 minutes 49 seconds West, along the northeasterly line of said Block 1, Bluewater Lakes, Section 4, a distance of 1,005.41 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found in the northeasterly line of Lot 6, Block 1, said Bluewater Lakes, Section 4 and the southeasterly line of a 40' wide roadway easement, recorded under Vol. 1, Pgs. 71 & 72, B.C.P.R. and Vol. 3, Pg. 139, B.C.P.R. and marking the southwest corner of said Tract II and the herein described tract, from which a 5/8-inch iron rod with cap found bears, North 70 degrees 29 minutes West, 20.00 feet and a 1/2-inch iron rod found bears, North 70 degrees 29 minutes West, 40.00 feet;

EXHIBIT "A"

THENCE, North 19 degrees 32 minutes 37 seconds East, departing the northeasterly line of said Block 1, Bluewater Lakes, Section 4 and along the southeasterly line of said 40' wide roadway easement, a distance of 917.07 feet, to the southerly of Lot 40, Section 73, aforesaid Allison Richey Gulf Coast Home Co. subdivision and the northwest corner of said Tract II and the herein described tract, from which a 5/8-inch iron rod with cap stamped "Leany" found bears, North 02 degrees 29 minutes West, 0.33 feet;

THENCE, North 86 degrees 34 minutes 43 seconds East, along the southerly line of said Lot 40, Section 73 and aforesaid Lot 48, Section 73, a distance of 567.93 feet, to the POINT OF BEGINNING and containing a computed area of 18.643 acres (812,089 square feet) of land as depicted on the Land Title Survey dated: November 28, 2023, revised: December 4, 2023, prepared by West Belt Surveying, Inc., Project No. S647-0337A.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row
Katy, Texas 77449
(281) 599-8288



Joel D. Walker
Joel D. Walker Date: 12/4/23
Texas Registration No. 5189

Exhibit "B"

Valencia Planned Unit Development

Prepared for:

Hillwood Residential, L.P.

Prepared by:



**PLANNING &
LANDSCAPE
ARCHITECTURE**

February 2024

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EXHIBITS

Exhibit A - Area Location Exhibit
 Exhibit B – Project Aerial Exhibit
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I. INTRODUCTION

This application was prepared on behalf of Hillwood Residential, L.P. pursuant to the City of Manvel's zoning ordinance Sec. 77-29 Planned Unit Development District (PUD) district. The purpose of a PUD District is to provide a high level of amenities, encourage a pedestrian friendly environment, and provide flexibility in the development of land subject to the development standards coordinated with the necessary public services and facilities.

The Valencia PUD is primarily a residential project that consists of approximately 457.0 acres of land and is located immediately east of State Highway 288, north of Highway 6, generally south of Del Bello Boulevard, and generally west of Farm-to-Market 1128. The Area Location Map (Exhibit A) located in the Exhibits section of this document illustrates the location of the property.

The property is generally flat with elevations ranging from 44 feet to 60 feet above mean sea level (MSL) and is largely comprised of prairie land and agricultural fields. The property is encumbered by several existing east-west pipeline easements and Chocolate Bayou which runs in a north-south direction on the western portion of the property. The MUD 43 Drainage Easement and a portion of the Brazos River Authority controlled drainage easement, at approximately 125 feet in width, runs north-south along the western property boundary.

Generally, the surrounding land use is a mix of undeveloped acreage to the southwest, some large lot residential to the north, and standard single-family residential developments to the northwest, southeast, and south. The single-family residential developments are Bluewater Lakes to the south, Lakeland to the southeast, and Del Bello Lakes to the west. To the southeast lies Manvel Junior High and Manvel High School located at the intersection of State Highway 6 and McCoy Road. The future location of the Manvel City Center directly abuts the northwestern boundary of a portion of the development, south of Del Bello Boulevard.

The surrounding area can be seen on the Area Location Map and the Project Aerial map (Exhibit A and B).

II. PROJECT DESCRIPTION

1. Compliance with Comprehensive Plan

The Valencia PUD complies with the Manvel Comprehensive Plan by adhering to the development principles outlined in the plan. This is accomplished by encouraging well-planned quality residential and non-residential development; providing open space for recreation and protecting the natural environment; and offering a variety of housing choices (See Conceptual Land Use Plan, Exhibit E). The Valencia PUD has a well-defined network of both vehicular and pedestrian circulation systems that provide connectivity, not only to the project itself, but to existing developments to the south and west as well as to the future Manvel City Center. The diversity of housing types varies from the traditional single-family subdivision to higher density single-family specialty products that ensure residents of all ages and needs can fulfill their housing needs. The development of an internal parks system includes a recreation center, smaller parks, and significant open space areas that will help provide for the City's future open space needs.

2. Justification

The intent of the PUD District is to encourage high quality development in the City by providing additional flexibility to take advantage of special site characteristics, location, and land uses. This document establishes certain development standards that exceed the minimum Manvel

zoning regulation requirements for properties specifically located within the boundaries of the Valencia PUD.

The PUD will meet or exceed the minimum requirements of Manvel's zoning regulations through specific architectural design and engineering standards such as:

- Creating a PUD district which will respond to market conditions and maintain the flexibility necessary to address changes in the future;
- Incorporating unique single-family specialty products that will provide a variety of housing stock to ensure residents of all ages and needs can fulfill their housing requirements;
- Providing parks, amenitized detention areas, and a well-defined trail system; and
- Complying with the amended Major Thoroughfare Plan to provide sufficient connectivity throughout the project for vehicular and pedestrian activity.

3. Single-Family Residential

The traditional single-family residential component that will be found throughout the Valencia PUD will be a collection of individual neighborhoods that take their access from Dogwood Avenue, Charlotte Street and Pollard Boulevard, and/or an internal local street system that provides connections within the neighborhood and to the surrounding areas. The traditional single-family residential neighborhoods will be developed with lot sizes that vary from 50 feet to 70 feet or greater in width to respond to market conditions.

The single-family specialty products will provide unique types of residential development that is less than fifty feet in width that may include front loaded products, rear loaded or alley products, townhome alley products, and/or "zipper" lots (single-family lots with detached garages in alternating depths). The single-family specialty products neighborhoods will be developed with varying lot sizes and product types to respond to market conditions.

4. Drill Site

A 4.0-acre drill site is located on the north side of the future Charlotte Street extension, to the north of Bluewater Lakes Section 2, and to the west of Lakeland Section 2. The drill site will be used as open space area unless or until the mineral rights owners elect to exercise their drilling rights. The size and location of any drilling facility associated with the extraction of oil and gas shall be conceptual until a permit is issued by the City of Manvel in accordance with Chapter 35, of the *City of Manvel Code of Ordinances*. This drill site shall not be calculated towards the parkland dedication requirement. Should the surface owner acquire the mineral rights and elect to remove the drill site, the designated drill site shown on the exhibits to this Valencia PUD may be used as a park or for single-family residential uses (See Section III.2, Single-Family Residential Lot Distribution Table). If the designated drill site is used for a park, that acreage may be applied to the parkland dedication requirements.

5. Potential School Site

The project is located within the Alvin Independent School District. The size and the location of the proposed school site will be coordinated between the developer and the school district. In the event that Alvin Independent School District does not purchase the proposed school site, that site may be used for single-family residential uses (See Section II.2, Single-Family Residential Lot Distribution Table).

6. Parks and Open Space

Parks and open space accounts for approximately 36.6% of the gross acreage within the Valencia PUD. The open space calculation includes private parks, public parks, landscape reserves, pipeline easements, drainage easements, canal easements, trails, natural open space areas, drill sites, lakes/detention areas, and drainage facilities. The Valencia PUD Conceptual Amenities and Open Space Plan (Exhibit H) shows a private recreation center, public parks, lake/detention areas, and open space areas all connected via a pedestrian trail system. The proposed private recreation center, located to the west of Pollard Boulevard, will provide off-street parking and may contain active amenities such as water based recreational activities with commonly associated facilities, an active play area for children, and other passive amenities. In the event that a “splash pad” type amenity is installed, a water recirculation system will also be installed for the purpose of water conservation. The other two parks shown on Exhibit H will be public and have more passive facilities such as play areas for children, trails, picnic tables and benches. One of the lake/detention areas, designated D-03 on Exhibit H, may have active amenity features such as a kayak launch and fishing facilities. All land which is dedicated for the purpose of fulfilling the parkland dedication requirement will be developed with some form of either passive or active amenities. The various private recreation center, public parks, and trails will be developed as the adjacent residential sections are developed.

The pedestrian trail system will be comprised of a hierarchy of trail widths ranging from 12 feet in width to 6 feet in width; all sidewalks located in front of homes will be 5 feet in width.

The lakes within the Valencia PUD will maintain a constant water level while also serving as detention facilities for the project and provide a significant amount of open space. The lake/detention areas will not only enhance the aesthetic quality of the development but will provide numerous opportunities for the enjoyment of the residents.

7. Other Land Uses

The Valencia PUD has five proposed commercial sites located throughout the development; ±4.7 acre and ±2.5 acre commercial sites located at the southeast and southwest corners of Del Bello Boulevard and Pollard Boulevard, a ±2.6 acre commercial site located at the northwest corner of Pollard Boulevard and Dogwood Avenue, a ±1.5 acre commercial site at the southeast corner of Charlotte Street, and a ±10.5 acre site located on the northeast corner of Del Bello Boulevard and Manvel Parkway. It is anticipated that the commercial developments will largely be neighborhood retail in nature.

III. ZONING

1. Proposed Zoning

1. To implement the conceptual master plan as currently proposed, each of the proposed land uses has been assigned a zoning district consistent with the current City of Manvel zoning regulations as shown on the Composition of Land Use Table below. The various land uses will follow the development requirements for their assigned zoning district as described in the Zoning Ordinance, in effect when this PUD is approved, unless otherwise noted in this PUD. Notwithstanding the foregoing, no amendment shall impact the project's vested rights. When there is a conflict between the requirements in the regulations listed below and this PUD Document, this PUD Document will govern.

Land use shall be regulated on a total acreage basis. Each Land Use may be increased or decreased in acreage by up to 10% of the total gross acreage. The percentage land use area change is required to ensure the success of the Valencia PUD by maintaining the flexibility to modify land use sizes in response to changes in economic and market conditions. This will allow Valencia PUD to remain competitive in the real estate market over the life of the project and the ability to adjust as necessary to accommodate specific end users in a timely manner.

The land uses may be relocated within the boundaries of the PUD, as necessary to address economic and market conditions or future modification of roadway and drainage alignments. The Land Use Comparison table below provides a detailed tabulation of each land use within the development as shown on the Conceptual Land Use Exhibit, Exhibit E. All acreages shown below are subject to change as development occurs within the boundaries of the PUD and as allowed by this document.

2. Conversion of Specific Land Uses

- a. The conversion of the Drill Sites, Parkland, and/or Potential School will only be allowed to convert to parkland or single-family residential uses.
- b. Conversion of the Drill Sites and/or Potential School Site will be the only instance in which density may be increased within the development. However, the increase in density shall be limited to the traditional single-family lot products as described in Section III.V.3, Traditional Single-Family.
- c. In the event that the drill sites or school site is converted to single-family residential, this conversion of land use shall not be counted towards the ten percent (10%) of change described in Section III.1.

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A. Acreage per Land Use Summary

Land Use	Zoning District	Approximate Acreage	% Gross Acreage
Constraints			
Major Thoroughfare & Collector Roadways	PUD-SFR	37.6	
Existing Utility & Canal Easements	PUD-SFR	33.5	
Drainage & Detention	PUD-SFR	81.4	
Chocolate Bayou	PUD-SFR	7.6	
Drill Site	PUD-SFR	4.0	
Subtotal		164.1	36.0%
Community Elements			
Recreation Center & Parks	PUD-SFR	5.6	
Elementary School	PUD-SFR	14.8	
Landscape/Open Space	PUD-SFR	33.9	
Subtotal		54.3	11.7%
Commercial			
Commercial	PUD-LC	21.8	
Subtotal		21.8	4.8%
Single-Family Residential			
Single-Family Residential	PUD-SFR	216.8	
Subtotal		216.8	47.5%
Totals		457.0	100.0%

B. Single-Family Residential Lot Distribution Table

Lot Size	Allowable Percentage of Total Lots	Approximate Acreage
50' X 120' (Typical)	30%	65.0
60' X 120' (Typical)	32%	69.4
70' X 130' (Typical)	10%	21.7
Specialty Product	28%	60.7
Gross Residential Total	100%	216.8

Please refer to the Single-Family Residential Exhibit, Exhibit F, for the proposed location of the various lot products. The locations of the various products shown on the exhibit may be adjusted and/or moved within the boundaries of the PUD as allowed by this document. Refer to Section III.V.3 and Section III.V.4, of this document for a listing of lot sizes and applicable standards for the various single-family residential products, including the single-family specialty product. The 50 foot lots and Specialty Products combined shall not exceed a total of 58% of the total lot count in the project; the 60 foot lots and 70 foot lots may each be increased by an additional 10% of the total lot percentage. Additionally, if the drill site and/or the school site is converted to a residential use (See Section II.4

and II.5), any of the lot sizes shown on the table above may be used provided that the percentage ratio of the various lot sizes shall not be modified.

C. Commercial Land Uses

The proposed five (5) commercial tracts are intended to provide neighborhood-scaled commercial development with retail, service, and office uses. Below is a list of allowed uses within these tracts:

a. Permitted Uses:

- Retail bakeries
- Furniture and home furnishing stores
- Electronics and appliance stores
- Building material, garden equipment and supplies dealers
- Food and beverage stores
- Health and personal care stores
- Clothing and clothing accessories stores
- Sporting goods, hobby, book, and music stores
- General merchandise stores
- Misc. store retailers
- Postal Service
- Finance and insurance
- Real estate
- Lessors of nonresidential buildings (except mini warehouses)
- Consumer good rental
- Professional, scientific, and technical services
- Accounting, tax preparation, bookkeeping and payroll
- Veterinary services
- Management of companies and enterprises
- Administrative and support services
- Educational support services
- Social assistance
- Child day care services
- Arts, entertainment, and recreation
- Fitness and Sports Centers
- Food services and drinking places
- Electronic and precision

equipment repair and maintenance

- Automotive glass replacement shop
- Personal and laundry services

b. Office functions only:

- Any manufacturing or industrial related uses
- Support activities for agriculture and forestry
- Construction of buildings
- Transportation and warehousing
- Commercial and industrial machinery and equipment rental

c. Special Use Permit required:

- Beverage manufacturing
- Information
- Gasoline stations
- Ambulatory health care services
- Hospitals
- Lessors of mini warehouses and self-storage units
- Automotive and equipment rental
- Amusement, gambling, recreation industries
- Recreational goods rental
- Colleges, universities, professional, and business schools
- Nursing and residential care facilities
- Other residential care facilities

c. Special Use Permit required (con't)

- Bed and breakfast
- All other amusement and recreational industries
- Mobile food services
- Drinking places (alcoholic beverages)
- Automotive repairs and maintenance
- Personal and household

- Goods repair and maintenance
- Other personal care services
- Religious organizations
- Civil and social organizations
- Non-store retailers
- Technical and trade schools
- Other schools and instruction
- Accommodations

IV. PARKS

To meet the parks dedication requirement, there shall be a minimum of one acre of parkland dedicated for every 100 proposed single-family residential lots. Based upon the estimated number of 1,100 single-family residential lots, the Valencia PUD will be required to provide approximately ± 11 acres of parkland. In the event that the number of single-family residential lots exceeds the acreage listed above, the requirement of a minimum of one acre of parkland dedicated for every 100 proposed single-family residential lots shall apply. Should the number of lots decrease from the estimated number of 1,100, the requirement of a minimum of one acre of parkland dedicated for every 100 proposed single-family residential lots shall apply.

Parkland Dedication will be credited based on the following criteria:

- a. Private parks: No more than 50% of the required parkland dedication acreage shall be comprised of private parkland.
- b. Public parks: Public parkland shall be dedicated to the City of Manvel once the full reimbursement for the public park has been received and maintained by the Homeowners Association. However, to be considered public parkland, the area must be available to all residents of the City of Manvel.
- c. Trails: No more than 50% of the required parkland dedication acreage may be comprised of trails. To qualify for credit as trails, the following requirements must be met:
 - i. All-weather hike/bike paths, landscaping and sodding installed according to the construction standards of the city for trails;
 - ii. Have connections to surrounding private parks, public parks, open space, recreation areas, school and/or other trails/sidewalks;
 - iii. Reserves dedicated as parkland acreage for trails shall have an average minimum width of 25 feet.
- d. Lakes: No more than 35% of the required parkland dedication acreage may be comprised of lakes/detention. To qualify for credit as lakes, the following requirements must be met:
 - i. Be located adjacent to parkland or open space that is designated for public use;
 - ii. Maintain a constant water surface elevation;
 - iii. Have connections via trails/sidewalks to surrounding private parks, public parks, open space, recreation areas, school and/or other trails/sidewalks;
 - iv. Contain a minimum size of eight acres;
 - v. Have side slopes not to exceed a five to one (5:1) ratio in the location of any ingress/egress areas for the purpose of fishing or kayak related activities;
 - vi. Must be available to all residents of the City of Manvel.

The proposed parks dedication requirement will be met in the following manner:

Open Space Amenity	Acreage
Recreation Center (Private)	± 2.8 acres

Parks (Public)	±2.8 acres
Lake D-03 (Public)	±3.4 acres (maximum 35% credit)
Trails adjacent to Chocolate Bayou or Lake/detention areas (Public)	±2.0 acres (maximum 50% credit)
Total	±11.0 acres

The acreages and locations of the various parks shown on the above table may be adjusted and/or moved within the boundaries of the PUD as allowed by this document. A well-defined trail system will be constructed throughout the development as depicted on the Conceptual Amenities and Open Space Plan (Exhibit H). The Homeowners Association will be responsible for maintaining all private parks, public parks, open space, trails, and landscaped areas within the PUD.

V. DEVELOPMENT REGULATIONS

Unless otherwise outlined in this document, all City of Manvel regulations, as amended from time to time, shall apply to this PUD. If any provision of a future amended zoning or subdivision regulation imposes a higher standard than that provided for in this PUD document, then the provisions of this PUD document shall control. If any provision of any city regulation not contained in this PUD document imposes a higher standard, that regulation shall control. Notwithstanding the foregoing, no amendment shall impact the project's vested rights. When there is a conflict between the requirements in the development regulations listed below and this PUD Document, this PUD document will govern.

1. Architectural Standards

Residential and Commercial Development Guidelines shall be created to protect the integrity of the residential and commercial development within the PUD. The Commercial Development Guidelines shall comply with the architectural standards listed in Chapter 77-51 of the Manvel Code of Ordinances unless otherwise noted in this document. Below are additional regulations that apply to the architectural standards within the PUD:

- a. Structures located within recreation center or park sites shall follow building material standards and setbacks set forth in the Valencia CCRs.
- b. Structures not enclosed on at least three sides shall not be held to the Commercial Development Guidelines.
 - i. Such structures shall not be required to comply with Commercial setback or exterior building material requirements and shall follow building material standards and setbacks set forth in the Valencia CCRs

2. Street and Circulation System

The Valencia PUD will have sufficient mobility through the construction of several proposed roadways:

- Pollard Boulevard, a 120 foot wide thoroughfare running north-south through the property from its connection to Del Bello Boulevard in the north to its existing location in Bluewater Lakes;
- Del Bello Boulevard, a 120 foot wide thoroughfare that lies along the northern side of the future Manvel City Center. The existing thoroughfare connects to State Highway 288 to the west.
- Dogwood Avenue, an 80 foot collector road that runs east-west just to the south of the future Manvel City Center;
- Charlotte Street, a 80 foot collector road that runs east of Pollard Boulevard in the southern portion of the Valencia PUD. The portion of Charlotte right-of-way located adjacent to C-

- 08 and outside of the Valencia boundary shall only be developed as C-08 is developed;
- Charlotte Street, a 60 foot collector road that runs west of Pollard Boulevard in the southern portion of the Valencia PUD.
- Alleys shall be maintained by the HOA. The City will not be responsible for repairs or maintenance of any alley.

The thoroughfare and circulation plan for Valencia PUD and the surrounding vicinity is illustrated on the Conceptual Roadway Exhibit (Exhibit G). Refer to the Utility agreement and any amended agreements thereafter for applicable regulations and details regarding paving width, sidewalk width, and phasing of these roadways.

3. Traditional Single-Family

Lot Sizes and Standards:

- a. 50' lots:
 - i. Minimum lot size area: 6,000 square feet
 - ii. Minimum width – 50 feet (measured at the front yard setback)
 - iii. Front yard setback – 20 feet minimum
 - iv. Side yard setback – 5 feet minimum
 - v. Corner side yard setback – 10 feet minimum
 - vi. Garage Front yard setback – 25 feet minimum
 - vii. Rear yard setback – 15 feet minimum
 - viii. Building height – 40 feet maximum
- b. 60' lots:
 - i. Minimum lot size area: 7,200 square feet
 - ii. Minimum width – 60 feet (measured at the front building line)
 - iii. Front yard setback – 20 feet minimum
 - iv. Side yard setback – 5 feet minimum
 - v. Corner side yard setback – 10 feet minimum
 - vi. Garage Front yard setback – 25 feet minimum
 - vii. Rear yard setback – 15 feet minimum
 - viii. Building height – 40 feet maximum
- c. 70' lots:
 - i. Minimum lot size area: 8,400 square feet
 - ii. Minimum width – 70 feet (measured at the front yard setback)
 - iii. Front yard setback – 20 feet minimum
 - iv. Side yard setback – 5 feet minimum
 - v. Corner side yard setback – 10 feet minimum
 - vi. Garage Front yard setback – 25 feet minimum
 - vii. Rear yard setback – 15 feet minimum
 - viii. Building height – 40 feet maximum

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 15 feet

4. Single-Family Specialty Product

Please refer to Single-Family Specialty Product Exhibits L, M, & N in this document.
Lot Sizes and Standards:

- a. Front loaded detached lots:
 - i. Minimum width – 42 feet (measured at the front yard setback)
 - ii. Minimum depth – 120 feet
 - iii. Front yard setback – 20 feet minimum
 - iv. Side yard setback – 5 feet minimum
 - v. Corner side yard setback – 10 feet minimum
 - vi. Garage Front yard setback – 25 feet minimum
 - vii. Rear yard setback – 15 feet minimum
 - viii. Building height – 40 feet maximum
- b. Rear loaded (alley) detached lots:
 - i. Minimum width – 35 feet (measured at the front yard setback)
 - ii. Minimum depth – 100 feet
 - iii. Front yard setback – 15 feet minimum
 - iv. Rear yard setback – 10 feet minimum
 - v. Side yard setback – 5 feet minimum
 - vi. Corner side yard setback – 10 feet minimum
 - vii. Alley width – 20 feet
 - viii. Building height – 40 feet maximum
- c. Rear loaded (alley) attached lots:
 - i. Minimum width – 28 feet (measured at the front yard setback)
 - ii. Minimum depth – 90 feet
 - iii. Front yard setback – 15 feet minimum
 - iv. Rear yard setback – 10 feet minimum
 - v. Side yard setback – 5 feet minimum between structures
 - vi. Corner side yard setback – 10 feet minimum
 - vii. Alley width – 20 feet
 - viii. Common walls allowed on one side
 - ix. Building height – 40 feet maximum
- d. Rear loaded (alley) townhome lots:
 - i. Minimum width – 25 feet (measured at the front yard setback)
 - ii. Minimum depth – 90 feet
 - iii. Front yard setback – 15 feet minimum
 - iv. Rear yard setback – 10 feet minimum
 - v. Side yard setback – 5 feet minimum between structures
 - vi. Corner side yard setback – 10 feet minimum
 - vii. Alley width – 20 feet
 - viii. Common walls allowed on both sides
 - ix. Maximum number of attached units: Five
 - x. Minimum number of attached units: Two
 - xi. Only 20% of the units within a townhome development shall be allowed to have two attached units
 - xii. Building height – 40 feet maximum
- e. Zipper lots (single-family detached lots with alternating depth detached garages):
 - i. Minimum width – 25 feet (measured at the front yard setback)
 - ii. Minimum depth – 120 feet
 - iii. Front yard setback – 20 feet minimum
 - iv. Rear yard setback – 10 feet minimum
 - v. Side yard setback – 5 feet minimum
 - vi. Corner side yard setback – 10 feet minimum

- vii. Garage building line – 25 feet minimum
 - viii. If the garage is set to the minimum of 25 feet, then the adjacent lot shall have a minimum setback of 50 feet.
 - ix. Garage side setback – 0 feet with a minimum of 10 feet of separation from structures on the adjacent lot. Garage structures located less than four feet from the lot line shall have a “private four-foot perpetual drainage and maintenance easement” provided on the adjacent property and shown on the final plat.
 - x. Building height – 40 feet maximum
- f. Patio & Zero Lot Line Lots
- i. Minimum width – 50 feet (measured at the front yard setback)
 - ii. Minimum depth – 120 feet
 - iii. Front yard setback – 20 feet minimum
 - iv. Garage front yard setback – 25 feet minimum
 - v. Rear yard setback – 15 feet minimum
 - vi. Side yard setback – 5 feet minimum
 - vii. Corner side yard setback – 10 feet minimum
 - viii. A minimum of 0 feet to 5 feet on one side yard and 5 feet to 10 feet on the other side yard, with an aggregate minimum side yard setback of 10 feet between the two lots.
 - ix. In no case shall units on adjoining lots be separated by less than 10 feet in width
 - x. Patio home structures located less than four feet from the lot line shall have a “private four-foot perpetual drainage and maintenance easement” provided on the adjacent property and shown on the final plat.
 - xi. Building height – 40 feet maximum

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 15 feet.

Where alleys dead-end, a turnaround shall be provided. Waste collection in an alley shall only be provided if approved by the City’s waste haul contractor, otherwise, trash collection shall be taken from the front curb. The Homeowners Association shall enforce no parking and keep the alley clear from obstacles.

5. Streets

In the event that there is a conflict between the Valencia PUD and the Utility Agreement and any amended agreements thereafter, the Utility Agreement shall control. The development will provide points of access as required by Streets, Section 62-104(5) Multiple access points with the following modifications:

- a. Two points of access. There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots. A boulevard may be used as a second point of access to satisfy this requirement only for the parcel designated as C-08, as shown on the Conceptual Land Use Plan, Exhibit E. Section 1 (D-01) and Section 2 (D-02) shall share a boulevard entry and second point of access, but shall be platted separately. All entry points as shown on Exhibit E shall provide sufficient access to address. Section 15 (D-05) shall have one boulevard entry and a second connection via Section 2 (D-02).
- b. Three points of access. There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.
- c. Four points of access. There shall be a minimum of four points of access from a collector

street in a subdivision or subdivision phase for 176 platted lots or greater.

- d. Boulevard entries. A boulevard entry may only be considered as two points of access when a third or fourth point of access is triggered under subsections 5.b. and 5.c. above.
- e. Future access: A future point of access to an undeveloped area may be used to qualify as a point of access to satisfy the requirements above.
- f. The only crossings of the existing drainage channel and canal easement along the western boundary of the PUD shall be Del Bello Boulevard, Dogwood Avenue and Charlotte Street. No additional street crossings shall be required.
- g. The parcel designated as C-08 shall only be required to provide one boulevarded point of access to Charlotte street due to existing development to the east and south, proposed detention pond to the west and size of the tract.

6. Commercial

- a. Minimum lot width – 60 feet (measured at the front yard setback)
- b. Minimum lot depth – 100 feet
- c. Front yard setback – 25 feet minimum
- d. Rear yard setback – 10 feet minimum
- e. Side yard setback – 5 feet minimum
- f. Corner side yard setback – 10 feet minimum
- g. Building Height:
 - i. Pad Site - No building may exceed thirty five feet in height.
 - ii. Commercial Anchor Tenant- No building may exceed sixty feet in height
- h. Building Materials:
 - i. All commercial buildings within the proposed commercial tracts must be composed of a minimum of 75% masonry exclusive of windows, doors, or other transparent materials. The calculation shall be based on the total square footage of all facades.
 - ii. The following materials shall meet the masonry requirement:
 - 1. Stone
 - 2. Brick
 - 3. Concrete (including tilt wall)
 - 4. Hollow clay tile
 - 5. Concrete Masonry Unit (CMU)
 - 6. Glass block
 - 7. True Stucco
 - 8. Insulated concrete forms (ICF)
 - i. Non-masonry materials may not exceed 25% of the building's elevation.
 - ii. The following non-masonry materials are permitted. Prior to approval of the use of the below materials, proof must be provided to show that the material and installation process meets ICC and Texas Windstorm standards and as approved by the City's Building Official or City Engineer.
 - 1. Cementitious Fiber
- j. Architectural metal panels to include, but not be limited to: lap-seam metal panels; exposed fastener panels; concealed fastener panels; flat plate metal panels; aluminum composite materials (ACM); metal composite materials (MCM); and/or formed metal panels (r-panels).
- k. Landscape Requirements
 - i. A minimum of 10% of the site (excluding building footprint) shall be landscaped.

- All pervious area shall be counted toward the total landscape area (excluding pavers).
- ii. Landscaping and/or a masonry fence shall screen outside storage areas, including but not limited to, loading docks, garbage collection bins and delivery entrances from adjacent property and public street right-of-way
 - iii. Street Trees
 - 1. A minimum of 1 tree is required for every 50 feet of street frontage.
 - 2. No street tree shall be less than three inch (3") caliper
 - 3. Trees may be grouped or placed at regular intervals so long as the spacing requirements listed above are met.
 - iv. Parking lot landscaping
 - 1. In addition to the Street Trees noted above, a minimum two inch (2") caliper tree shall be provided within or adjacent to the parking area at tree islands that:
 - a. Are at least 9 feet wide;
 - b. Each have a square footage minimum 180 square feet;
 - c. Provides 1 tree island for every 10 parking spaces;
 - d. The tree islands shall be planted with sod and/or other plantings.
 - 2. Shrub planting shall be placed along the perimeter of a parking lot to screen the parking lot. The shrubs shall be maintained at a maximum height of 36 inches. Parking lot shrubs shall be a minimum of 24-inches at the time of planting.
 - 3. At entrance and exits, shrubs shall be no higher than twelve (12) inches in height to comply with sight triangle requirements.

7. Signage

The proposed locations for the project signage can be found in the Conceptual Signage Location Exhibit (Exhibit K). All signage within the development will be in accordance with the Manvel City Sign Ordinance except for the items listed below. When there is a conflict between the requirements in the sign ordinance and this PUD Document, this PUD document will govern.

a. Residential Single-Family Development Signage:

- i. Primary Entry Monument: The overall primary entry monument shall consist of a primary monument sign, an attached sign blade wall, and an optional attached covered structure. The primary monument sign shall not exceed a sign area of 200 square feet. The sign blade wall shall attach the primary monument sign and the attached covered structure. The attached covered structure shall be open on three sides and shall contain roof signage that shall not exceed 200 square feet. The combined sign area of the primary monument sign and structure roof sign shall not exceed 400 square feet. The overall building envelope including the primary monument sign, attached sign structure, and attached covered structure shall be no greater than twenty feet (20') in height, sixty feet (60') in length, and twenty feet (20') in depth. These signs will be placed at the major entry point to the project.
- ii. Secondary Entry Monument: The secondary entry monument building envelope shall be no greater than twenty-five feet (25') in height, forty feet (40') in length, and fifteen feet (15') in depth. A water cistern twenty-five feet (25') in height by fifteen (15') in length shall contain signage on two walls of the water cistern. An ornamental/decorative fence may be provided as part of the overall design of the secondary entry monument and shall not be measured as part of the building envelope. The combined sign area of the tower and secondary monument sign

shall not exceed 400 square feet. These signs will be placed at the secondary entry points to the project.

- iii. Village/Park Entry Monument: Six feet (6') tall with a six-foot by six-foot (6'x6') tower footprint and an attached or isolated sign blade wall with a maximum size of six feet tall by twenty feet in length (6'x20'). The sign area shall not be greater than 64 square feet. These signs will be placed at the entry points to residential subdivisions within the project.
- iv. Model Home Monument: Used to identify different builder model homes to potential home buyers. The monuments shall be a maximum of 60 square feet in size and shall not to exceed five feet (5') in height. These monuments may be installed at model homes at various locations within the development. All model home monuments must be removed when the model home is purchased and used as a private home.
- v. Temporary Construction Signs/For Sale Signs: To be used during construction of the development. These signs recognize builders, architects, engineers, leasing representatives, lenders, and other associated with the project. There shall be one sign per parcel of land and the sign shall have a maximum of 64 square feet in size and not to exceed eight feet (8') in height and eight feet (8') in width per parcel of land. All temporary signs must be removed when the principle building on the applicable building site is occupied.
- vi. Temporary Community Signs: Used to direct potential home buyers to various neighborhoods and/or model homes. These temporary signs may be installed at various locations within the development. In addition, ten (10) offsite signs shall be permitted along these corridors:
 - Four (4) along Pollard Boulevard from State Highway 6;
 - Four (4) along Del Bello Boulevard from State Highway 288 to Pollard Boulevard;
 - Two (2) along State Highway 6 from State Highway 288 to Masters Road.

The Temporary Community Signs shall be a maximum of 128 square feet in size and shall not to exceed ten feet (10') in height. These signs may remain until 30 days following the permanent resident occupancy of the last model home. These signs may be placed within the right-of-way with the condition that they be located a minimum of four feet (4') from the back of curb. If a Temporary Community Sign is not in compliance with the above section, the City has the right to remove said sign at the expense of the developer with a ten (10) business days notification.

b. Commercial Development Signage:

- i. Building Mounted Signs
 - a. Maximum Sign Area: The total building mounted sign area shall not exceed a total of 2 square feet per linear foot of the façade width or 200 square feet, whichever is less.
 - b. Location/Number: Tenants are permitted to have one building mounted sign per building elevation facade, except those on a corner facing two public streets, which may have two (2) signs; one facing each street.
 - c. Illumination: Graphic sign bands must be internally illuminated. Internal illumination shall be LED or white neon tubing. All ballasts, transformers, conduits, and other necessary electrical and structural equipment must be

concealed.

i. **Monument Signs**

These signs shall be freestanding, double-sided monument type set perpendicular to the public street right-of-way.

- a. All monument signs shall be located a minimum of 10 feet from the property line.
- b. There shall be a minimum of 100 feet between monument signs.
- c. All monument signs must be perpendicular to the right of way.
- d. **Single Tenant Monument Sign**
 - i. Height - Maximum 6 feet (including base)
 - ii. Length – Maximum 13 feet
 - iii. Sign Area - Maximum of 45 square feet
 - iv. Location/Number: One single tenant monument sign per commercial tract, unless located on a corner; then one located on each public street. Sign shall be constructed perpendicular to the adjacent public street.
 - v. Illumination: Internal illumination shall be LED or white neon tubing

e. **Multi-Tenant Monument Sign**

- i. Height - Maximum 8 feet (including base)
- ii. Length – Maximum 13 feet.
- iii. Sign Area – Maximum of 65 square feet
- iv. Location/Number: One multi-tenant monument sign per commercial tract, unless located on a corner; then one located on each public street. Signs shall be constructed perpendicular to the adjacent public street. If anchor tenant occupies 50,000 SF or more, it may have an additional one single-tenant sign.
- v. If more than one sign is approved, they may not be placed any closer than 110 feet. In no case will there be more than one sign per entrance, unless permitted by Subsection e.iv. above.
- vi. Illumination: Internal illumination shall be LED or white neon tubing per sign specifications.

f. **Electronic Reader Boards**

Electronic Reader Boards/ LED screens are permitted under the following regulations:

- i. LED signs are permitted for on premised signs and/or for tenants within a single development;
- ii. No internal or external illumination of the LED screens will be allowed between the hours of 10pm and 6am;
- iii. Maximum illumination will be the difference between ambient light and full wattage cannot be more than .2 foot-candles at 75 feet;
- iv. Automatic dimmer equipment must be installed and operational; Maximum wattage at 6,500.
- v. Display Time - The message is displayed for a minimum of 15 seconds without changing, flashing, or scrolling;
- vi. Size of the changeable area is no greater than 25 percent of the overall signage area

c. School Signage:

i. **Building Mounted Signs**

- a. **Maximum Sign Area:** The total building mounted sign area shall not exceed a total of 2 square feet per linear foot of the façade width or 200 square feet,

whichever is less.:

- b. Location/Number: Tenants are permitted to have one building fascia sign per building elevation, except those on a corner facing two public streets, which may have two (2) signs; one facing each street.
- c. Illumination: Graphic sign bands must be internally illuminated. Internal illumination shall be LED or white neon tubing. All ballasts, transformers, conduits, and other necessary electrical and structural equipment must be concealed.

ii. Monument Signs

These signs shall be freestanding, double-sided monument type set perpendicular to the public street right-of-way.

- a. All signage shall be located a minimum of 10 feet from the property line.
- b. All signage must be perpendicular to the right of way.
- c. Height - Maximum 6 feet (including base)
- d. Length – Maximum 13 feet
- e. Sign Area - Maximum of 45 square feet
- f. Location/Number: One sign per school site, unless located on a corner; then one located on each public street. Sign shall be constructed perpendicular to the adjacent public street.
- g. Illumination: Internal illumination shall be LED or white neon tubing
- h. Electronic Reader Boards
Electronic Reader Boards/ LED screens are permitted under the following regulations:
 - i. LED signs are permitted for on premised signs;
 - ii. No internal or external illumination of the LED screens will be allowed between the hours of 10pm and 6am;
 - iii. Maximum illumination will be the difference between ambient light and full wattage cannot be more than .2 foot-candles at 75 feet;
 - iv. Automatic dimmer equipment must be installed and operational;
 - v. Maximum wattage at 6,500.
 - vi. Display Time - The message is displayed for a minimum of 15 seconds without changing, flashing, or scrolling;
 - vii. Size of the changeable area is no greater than 25 percent of the overall signage area

8. Trails

The pedestrian pathway system, which is illustrated on the Conceptual Amenities and Open Space Plan (Exhibit H), will use a combination of 12 foot wide and 8 foot wide primary trails, and additional trails of not less than five feet in width to serve the residents of the project and provide multiple pedestrian connections. The trails system will provide easy and safe pedestrian access to public parks, private parks, open space, commercial tracts, single-family residential areas, and the school (if any) located within the project.

9. Utilities

Utilities will be provided by a Municipal Utility District pursuant to a Utility Agreement with the City of Manvel approved at the same time as the Valencia PUD. In the event that there is a conflict between the Valencia PUD and the Utility Agreement and any amended agreements thereafter, the Utility Agreement shall control.

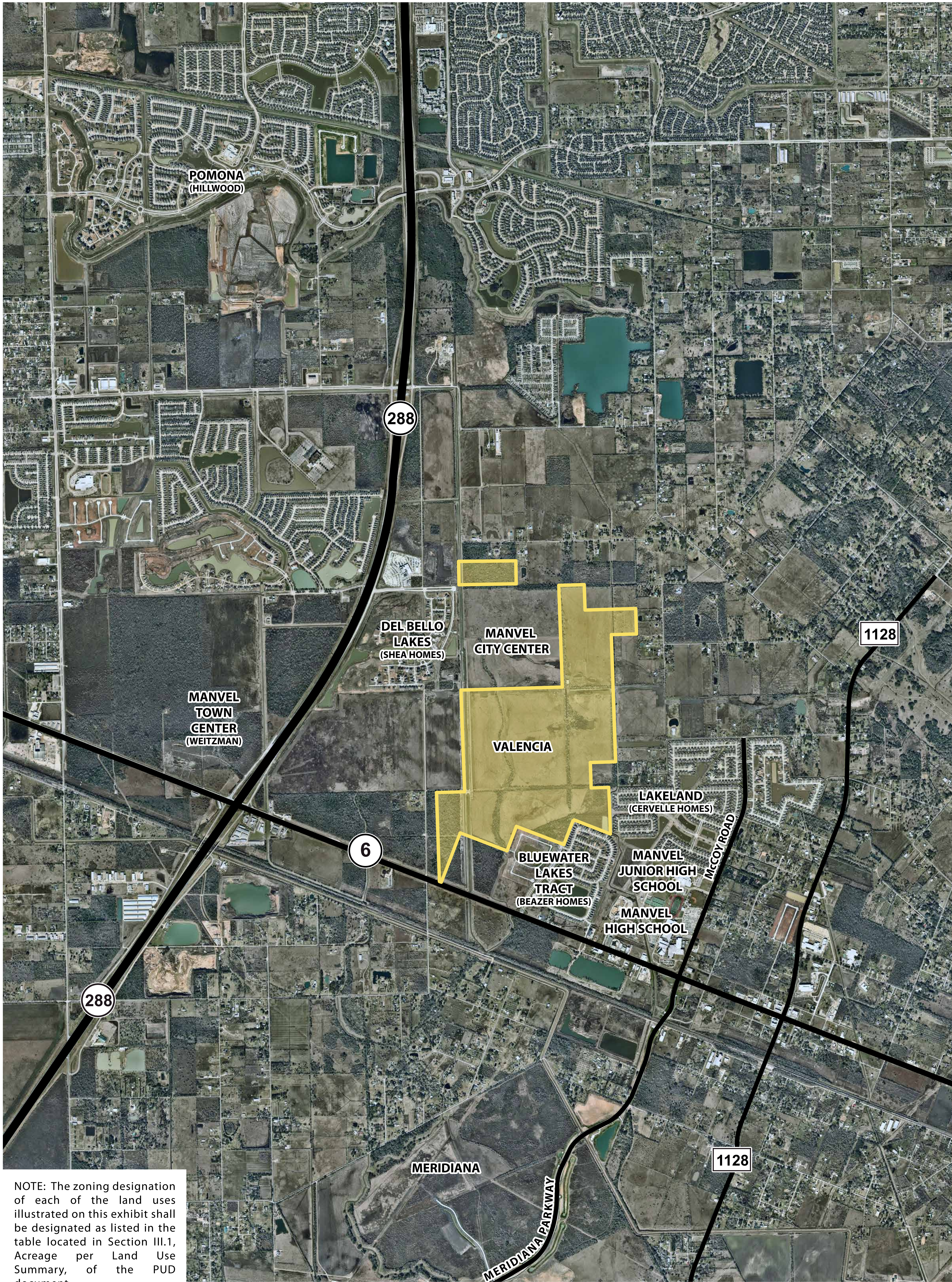
10. Other Regulations

- i. Fencing - Fences in any single-family residential district may not exceed seven (7') feet in height.
- ii. Proximity of structures to pipelines - No residential or commercial structure shall be erected or moved to a location nearer than 30 feet to any existing pipeline, except for low pressure distribution system pipeline as defined in section 62-2 of the Manvel Code of Ordinances.
- iii. Trees –Trees may be planted within right-of-way medians to enhance the overall landscape plan for the development. Trees shall be planted at a minimum spacing of 50 feet and located within the center of the right-of-way median. They may be located within other areas of the right-of-way in a limited manner to address physical or other constraints that exist in various areas throughout the development. In the event that there are utilities located within the future drip line of the tree, a suitable root barrier shall be used.
- iv. Off-street parking areas – Off-street parking areas shall be provided for the use of community occupants and guests at the recreation center site. Twenty-five (25) off-street parking stalls will be provided for the recreation center site.
- v. Paving Material – Permeable pavers, such as Trugrid or a comparable alternative, may be installed around non-residential buildings to fulfill fire code requirements.

V. PHASING / DEVELOPMENT SCHEDULE

The first phase of the project will be south of Del Bello Boulevard and Pollard Boulevard, working from the north to south as the project proceeds, as shown on the Phasing Exhibit (Exhibit I). The location and timing of future phases will be dependent upon market conditions and is subject to change. Commercial development will be driven by market conditions.

The construction of modular voter homes, shall be allowed to be located on the site throughout the duration of the project. A recorded final plat and/or permanent access shall not be required for such uses.



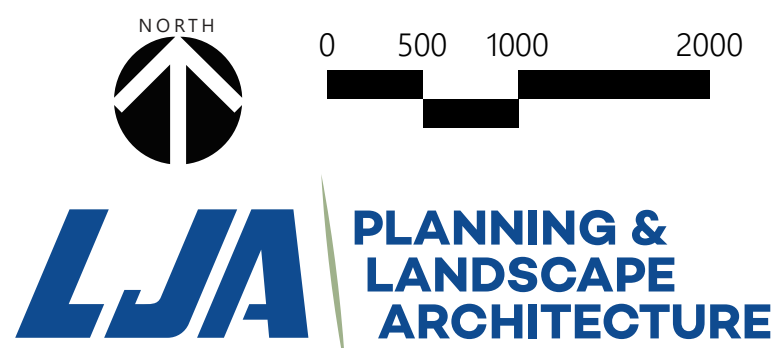
NOTE: The zoning designation of each of the land uses illustrated on this exhibit shall be designated as listed in the table located in Section III.1, Acreage per Land Use Summary, of the PUD document.

Prepared for
**HILLWOOD
RESIDENTIAL**

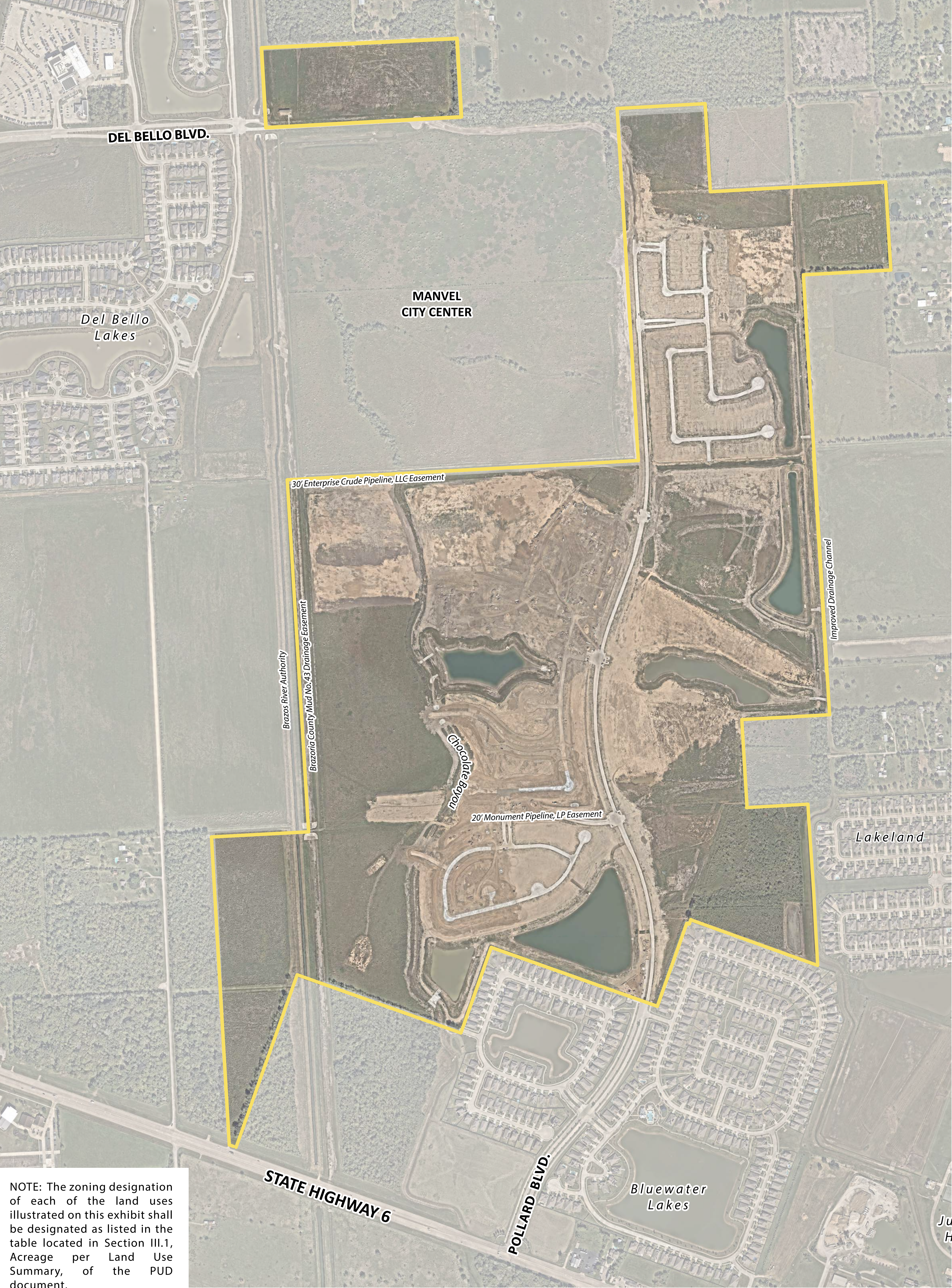
EXHIBIT A
Planned Unit Development
Area Location Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas

Reference Date: 02.27.2024

This exhibit is an illustrative representation for presentation purposes only and should not be used for computation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, flood plans, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, concerning the actual design, accuracy, location, and character of the facilities shown on this exhibit are intended.



RELATIONSHIPS | PROCESS | DESIGN



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.

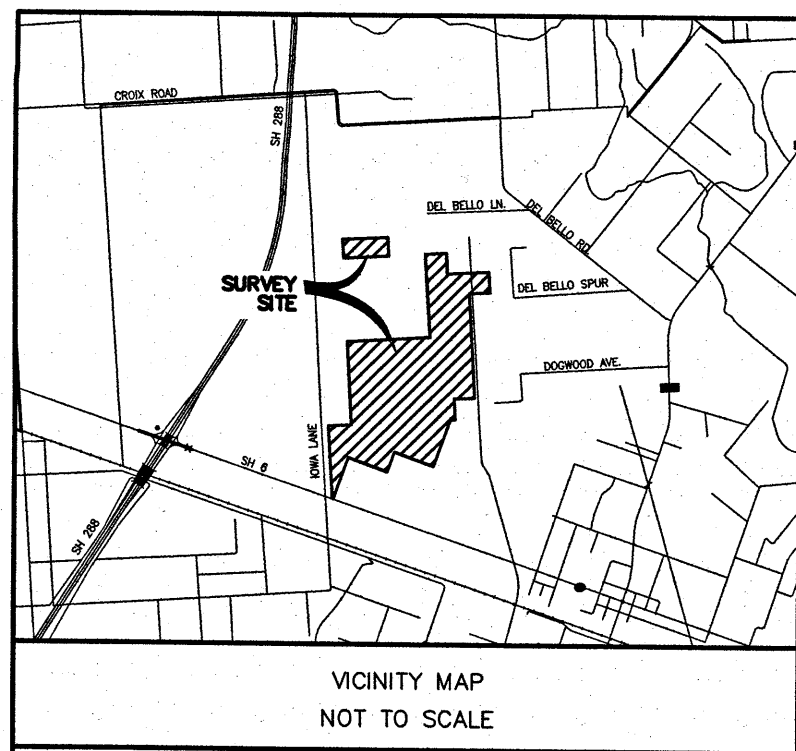
Prepared for
**HILLWOOD
RESIDENTIAL**

EXHIBIT B
Planned Unit Development
Project Aerial Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas

Reference Date: 02.27.2024

© Copyright 2024 LJA Engineering, Inc. Drawings, written material, and design concepts provided is considered property of LJA & shall not be reproduced in part or whole in any form or format without written consent of LJA.

This exhibit is an illustrative representation for presentation purposes only and should not be used for computation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, flood plains, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, concerning the actual design, accuracy, location, and character of the facilities shown on this exhibit are intended.



0 200 400
SCALE: 1" = 200'

DOGWOOD AVENUE
(80' R.O.W.)
RIGHT-OF-WAY EASEMENT
DOGWOOD AVENUE
CALLED 0.1722 ACRE
DOC. NO. 2019016545, B.C.O.P.R.
RESERVE "D"
BOUNDARY LINE AGREEMENT
DOC. NO. 2019016350, B.C.O.P.R.
DOC. NO. 2019016552, B.C.O.P.R.
MANVEL PARKWAY
(120' R.O.W.)
SHEA HOMES HOUSTON LLC
CALLED 56.104 ACRES
DOC. NO. 2018049942, B.C.O.P.R.

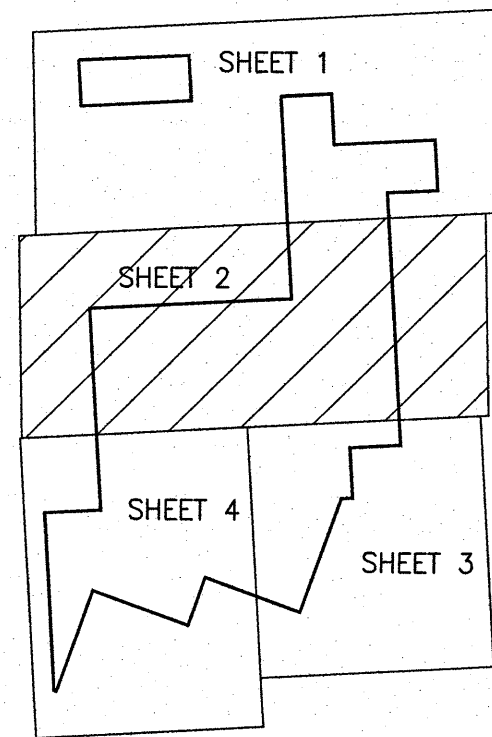
PLM WINK TO WEBSTER P/L LLC.
CRUDE OIL 1-800-537-5200
ENTERPRISE CRUDE
SONNAR OF SCOTSDALE, LLC
CALLED 35.848 ACRES
DOC. NO. 2009021816, B.C.O.P.R.

H.T. & B.R.R. COMPANY SURVEY, SEC. 72,
(A.K.A.) KATE R. EHRLICH SURVEY, A-460
N 03°28'46" W 2,640.65'
LOT 6
H.T. & B.R.R. COMPANY SURVEY, SEC. 73, A-301
WESTBANK BAYOU, LP
CALLED 10.0008 ACRES
DOC. NO. 2007047399, B.C.O.P.R.

LOT 7
BRAZOS RIVER AUTHORITY
CALLED 6.676 ACRES
(CAUSE NO. 54, 761A)
VOL. 33, PG. 154
B.C.D.R.

CYNTHIA LEE SOWELL WEISINGER,
CRISTI SOWELL HARVEY AND ANDREW WARD SOWELL,
AS CO-TRUSTEES OF CHARLES L. SOWELL FAMILY TRUST
CALLED 9.988 ACRES
DOC. NO. 2016025233 B.C.O.P.R.

EXHIBIT C



MATCHLINE-SHEET 3
MATCHLINE-SHEET 4

SHEET 2 OF 5

MATCHLINE-SHEET 1

TRACT 1 418.432 ACRES

ACREAGE SUMMARY	
TRACT 1:	418.432 ACRES
TRACT 2:	19.961 ACRES
TOTAL AREA:	438.393 ACRES

LINE	BEARING	DISTANCE
L1	N 70°29'23" W	33.64'
L2	S 86°49'56" W	147.25'

LEGEND	
B.C.D.R.	DEED RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.O.R.	OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.P.R.	PLAT RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.O.P.R.	OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.D.C.R.	DISTRICT CLERK RECORDS OF BRAZORIA COUNTY, TEXAS
DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME/PAGE
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
(S)	SET 5/8" IR W/CAP STAMPED "LJA SURVEY"
IR	IRON ROD
IP	IRON PIPE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
CPP	CORRUGATED PLASTIC PIPE
CIP	CAST IRON PIPE
A.K.A.	ALSO-KNOWN-AS
U.E.	UTILITY EASEMENT
RES.	RESERVE
FND.	FOUND
CONC.	CONCRETE MONUMENT
↓	SAME OWNER
—	PROPERTY LINE
—	HIGHBANK OF DITCH
—	FENCE (AS SPECIFIED)
—	OVERHEAD ELECTRIC
—	PIPELINE
△	PIPELINE MARKER
△	TELECOMMUNICATIONS MARKER
—	POWDERPOLE
—	GUY-WIRE
—	FLUSHING VALVE
—	WATER VALVE

LAND TITLE SURVEY OF 438.393 ACRES

ALL OF LOTS 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31,
32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, AND 50
OF SECTION 73 AND LOTS 6 AND 12 OF DIVISION "O"
OF THE ALLISON RICHEY GULF COAST HOME COMPANY
PART OF SUBURBAN GARDENS SUBDIVISION,
VOL. 2, PAGE 91-92, B.C.P.R.

ALL OF OUTLOTS 175 AND 195 AND
PART OF OUTLOTS 174 AND 180
DR. A. A. LUTHER SUBDIVISION OF MANVEL
AND SURROUNDING ACREAGE PROPERTY
VOL. 1, PAGES 71-72 AND VOL. 3, PAGE 139-140, B.C.P.R.

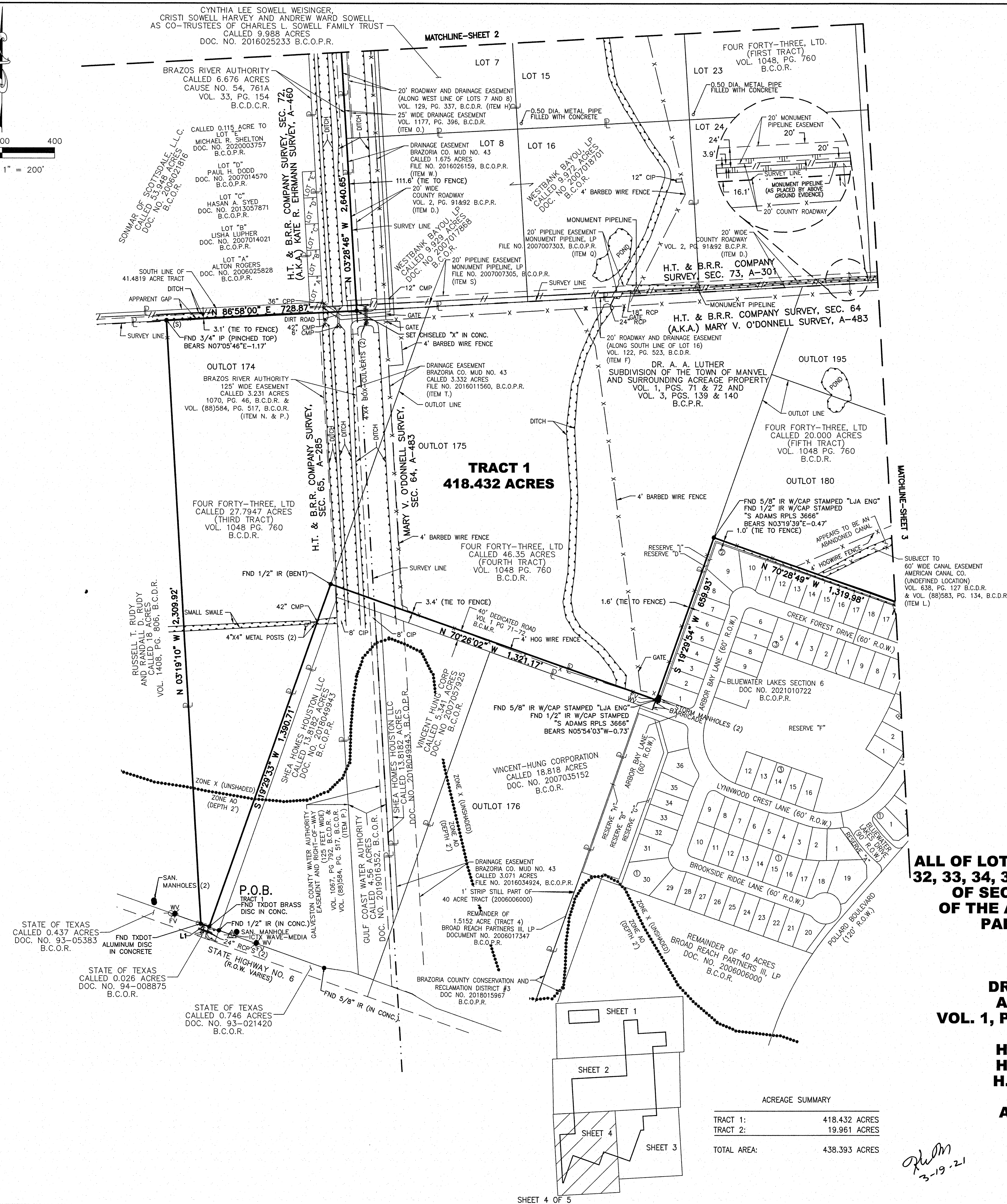
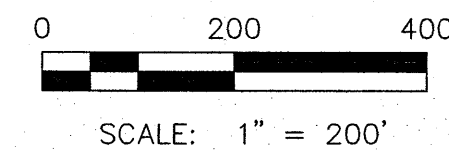
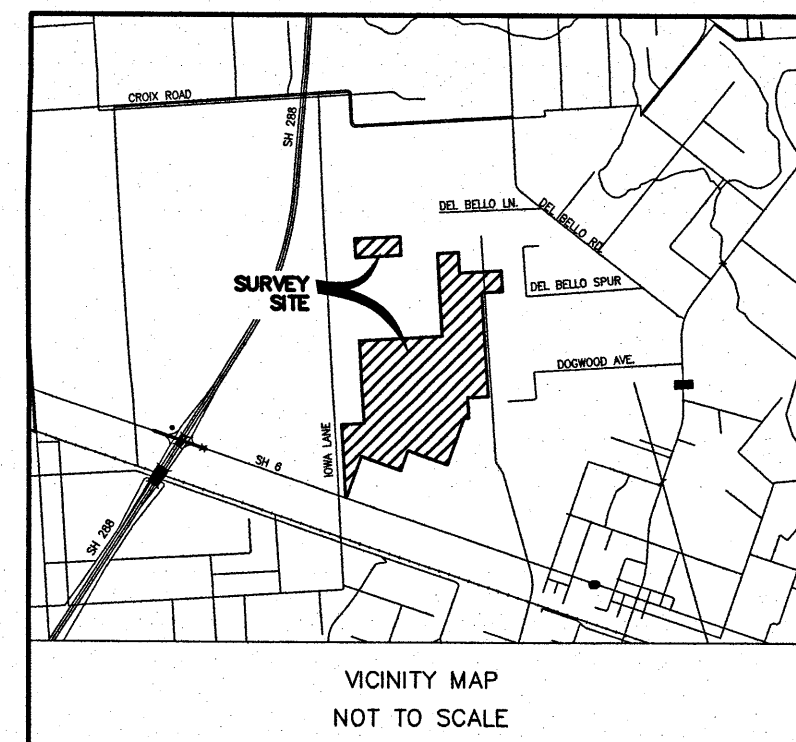
LOCATED IN THE
H.T. & B. R.R. CO. SURVEY, SEC 65, A-285,
H.T. & B. R.R. CO. SURVEY, SEC 73, A-301,
H.T. & B. R.R. CO. SURVEY, SEC 64 (A.K.A.)
MARY V. O'DONNELL SURVEY, A-483,
AND MARY V. O'DONNELL SURVEY, A-469
BRAZORIA COUNTY, TEXAS

FEBRUARY 2021 JOB NO. LJA001-2791-2101

LJA Surveying, Inc.

3600 W Sam Houston Parkway S
Suite 175
Houston, Texas 77042

Phone 713.953.5200
Fax 713.953.5026
T.B.P.E.L.S. Firm No. 10194382



LINE	BEARING	DISTANCE
L1	N 70°29'23" W	33.64'
L2	S 86°49'56" W	147.25'

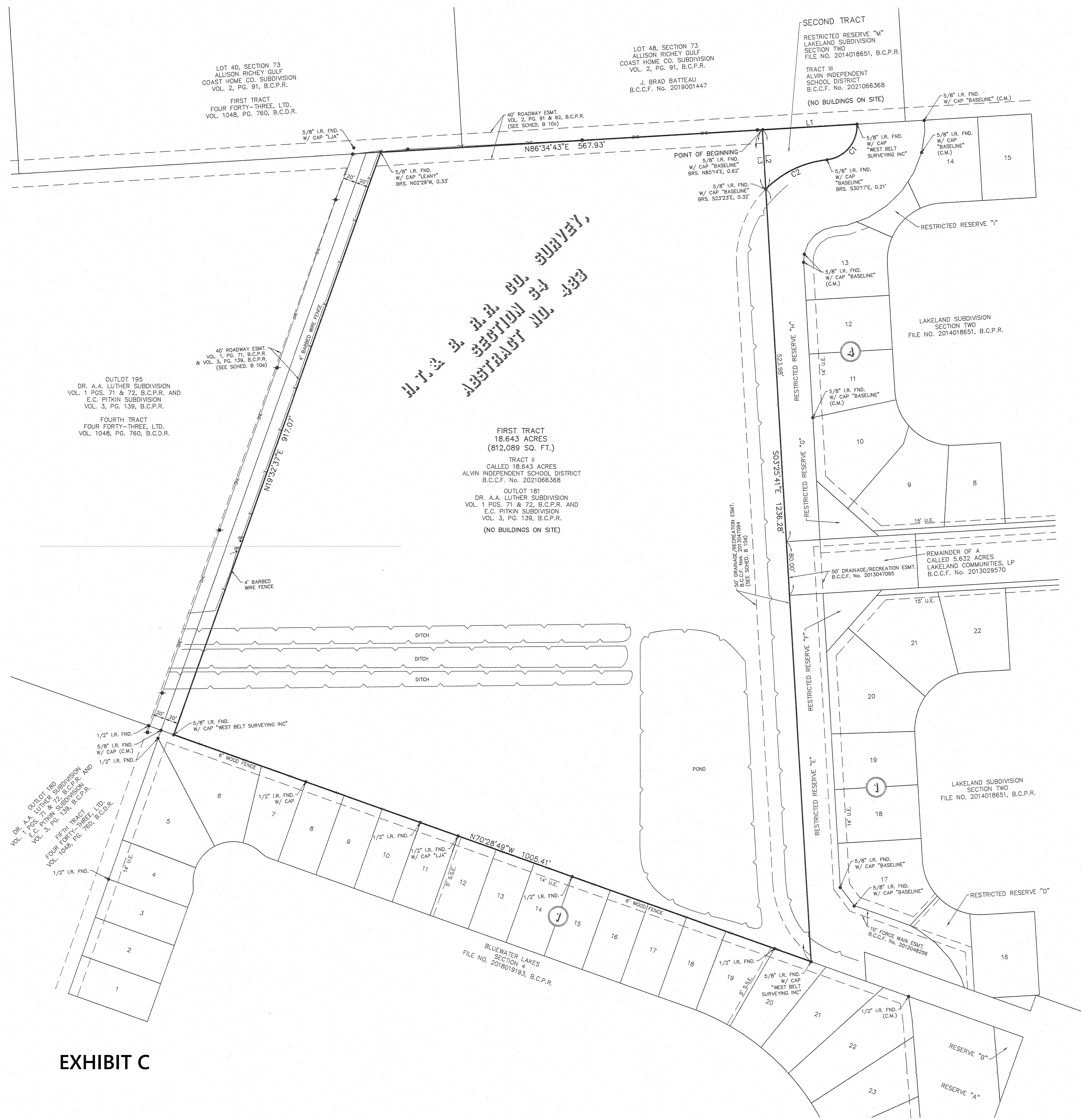
	LEGEND
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B.C.O.R.	OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
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B.C.O.P.R.	OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS
B.C.D.C.R.	DISTRICT CLERK RECORDS OF BRAZORIA COUNTY, TEXAS
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	PROPERTY LINE
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	FENCE (AS SPECIFIED)
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	PIPELINE
	PIPELINE MARKER
	TELECOMMUNICATIONS MARKER
	POWDERPOLE
	GUY-WIRE
◆ FV	FLUSHING VALVE
■ WV	WATER VALVE

**LAND TITLE SURVEY OF
438.393 ACRES
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H.T. & B. R.R. CO. SURVEY, SEC 64 (A.K.A.)
MARY V. O'DONNELL SURVEY, A-483,
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BRAZORIA COUNTY, TEXAS**

FEBRUARY 2021 JOB NO. LJS001-2791-2101

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

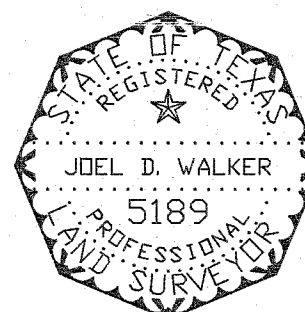
EXHIBIT C



certify hereby to Valencia 288, LLC, a Texas Limited Liability Company and Old Republic National Title Insurance Company that (a) this survey conforms to the current Texas Society of Professional Surveyors' standards and practices for a plat of Category 1A, Convention II TSPS Land Title Survey, (B) this plat of survey and the property description set forth herein are true and correct and prepared from an actual on-the-ground survey of the real property (the "Property") shown hereon; (c) the survey was conducted by a duly licensed and qualified surveyor or supervisor; (d) all monuments, shown hereon actually exist, and the location, size, and type of material thereof are correctly shown; (e) except as shown hereon, there are no visible discrepancies, conflicts, shortages in area, or boundary encroachments, easements, or other rights or interests or improvements as are shown hereon, and all are located within the boundaries of the Property and are set back from the Property lines the distances indicated; (f) all recorded easements, encroachments, or other rights or interests in the Property's Commitment for Title Insurance No. 23003142A, effective date: November 2, 2023, issue date: December 4, 2023, have been correctly platted hereon; (j) the boundaries, dimensions, and other details shown hereon are true and correct and conform to the plat of survey and the plat notes, as defined by the Federal Emergency Management Agency, as reflected by Floor Insurance Rate Map Panel # 48039C0130K, map revised date: December 30, 2020, which such map panel was in effect on the date the Property is situated. Executed on December 4, 2023.

12/4/23
DATE

Joel D Walker
JOEL D. WALKER, R.P.L.S.
TEXAS REGISTRATION NO. 5189



12/4/23
DATE

Joel D Walker
JOEL D. WALKER, R.P.L.S.
TEXAS REGISTRATION NO. 5189

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83

2. THE CAD FILE OF THE DRAWING SHOWN
HEREIN IS BASED ON TEXAS SOUTH CENTRAL
ZONE NO. 4204, STATE PLANE SURFACE VALUE
(NAD83) AND MAY BE CONVERTED TO GRID BY
SCALING THE DRAWING BY THE FOLLOWING
COMBINED SCALE FACTOR OF 0.999868151807.

3. ACCORDING TO F.I.R.M. MAP NO. 48039C0130K (COMMUNITY-PANEL NO. 4800760130K), MAP REVISED DATE: DECEMBER 30, 2020. THE SUBJECT PROPERTY LIES WITHIN THE AREA DESIGNATED AS ZONE "X" UNSHADED DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.

THIS STATEMENT IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE ABOVE REFERENCED MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

4. ALL UTILITIES SHOWN HEREON ARE LOCATED USING "APPARENT & VISIBLE" EVIDENCE BY ON-SITE OBSERVATION UNLESS OTHERWISE NOTED.

5. THE SUBJECT TRACT IS AFFECTED BY THE CITY ORDINANCES AND ZONING REGULATIONS OF THE CITY OF MANVEL FOR ZONE "SINGLE FAMILY RESIDENTIAL DISTRICT".

6. THIS SURVEY DOES NOT PROVIDE ANY DETERMINATION CONCERNING WETLANDS, FAULT LINES, TOXIC WASTE OR ANY OTHER ENVIRONMENTAL ISSUE. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.

7. THIS SURVEY HAS BEEN PREPARED UTILIZING A COMMITMENT FOR TITLE INSURANCE PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, G.F. NO. 23003142A. EFFECTIVE DATE: NOVEMBER 2, 2023. ISSUE DATE: DECEMBER 4, 2023.

8. THE SUBJECT TRACT IS AFFECTED BY THE RESTRICTIVE COVENANTS RECORDED IN FILE No. 2014018651, B.C.P.R. AND B.C.C.F. Nos. 2014019226, 2014019758, 2014019759, 2021069517 AND 2023041966. (AS TO SECOND TRACT) (SEE SCHED. B 1)

9. THE SUBJECT TRACT IS AFFECTED BY CITY OF MANVEL ORDINANCE No. 78-4 RECORDED UNDER VOL. 1447, PG. 442, B.C.D.R. (SEE SCHED. B 10I)

10. THE SUBJECT TRACT IS AFFECTED BY CITY
OF MANVEL ORDINANCE No. 2008-0-12
RECORDED UNDER B.C.C.F. No. 2008026132.
(SEE SCHED. B 10m)

11. THE SUBJECT TRACT IS AFFECTED BY THE
BLANKET EASEMENT TO CENTERPOINT ENERGY
HOUSTON ELECTRIC, LLC, CENTERPOINT ENERGY
RESOURCES CORP., d/b/a CENTERPOINT

ENERGY TEXAS GAS OPERATIONS, AND
SOUTHWESTERN BELL TELEPHONE COMPANY,
d/b/a AT&T TEXAS, AND COMCAST OF
HOUSTON, LLC RECORDED UNDER B.C.C.F. No.
2012048141. (AS TO SECOND TRACT) (SEE
SCHED. B 10p)

12. THE SUBJECT TRACT IS AFFECTED BY THE BLANKET EASEMENT TO CENTERPOINT ENERGY, HOUSTON ELECTRIC, LLC, CENTERPOINT ENERGY RESOURCES CORP., d/b/a CENTERPOINT ENERGY TEXAS GAS OPERATIONS, AND SOUTHWESTERN BELL TELEPHONE COMPANY, d/b/a AT&T TEXAS, AND COMCAST OF HOUSTON, LLC RECORDED UNDER B.C.C.F. No. 2014002448. (AS TO SECOND TRACT) (SEE SCHED. B 10q)

13. THE SUBJECT TRACT IS AFFECTED BY THE EASEMENTS RECORDED UNDER B.C.C.F. No. 2014019226. (AS TO SECOND TRACT) (SEE SCHED. B 10r)

14. THE OIL, GAS AND OTHER MINERAL RIGHTS
RECORDED UNDER VOL. 609, PG. 258, B.C.D.R.,
VOL. 609, PG. 260, B.C.D.R. AND B.C.C.F. Nos.
2008020855, 2013028725 AND 2015029838
THRU 2015029852 DO NOT LIE WITHIN THE
BOUNDARY OF THE SUBJECT TRACT. (AS TO
SECOND TRACT) (SEE SCHED. B 10s thru v)

15. THE SUBJECT TRACT IS AFFECTED BY THE ANNUAL ASSESSMENTS, SPECIAL ASSESSMENTS AND SPECIFIC ASSESSMENTS RECORDED UNDER B.C.C.F. Nos. 2014019226, 2014019758, 2021069517 AND 2023041966. (AS TO SECOND TRACT) (SEE SCHED. B 10w)

16. THE SUBJECT TRACT IS AFFECTED BY THE
WAIVER OF SPECIAL APPRAISAL FOR THE
BENEFIT OF BRAZORIA COUNTY M.U.D. No. 61
RECORDED UNDER B.C.C.F. No. 2018002858. (A
TO SECOND TRACT) (SEE SCHED. B 10x)

ALVIN INDEPENDENT
SCHOOL DISTRICT

LAND TITLE SURVEY

FIRST TRACT
18.643 ACRE TRACT AND
SECOND TRACT

RESTRICTED RESERVE "M"
LAKELAND SUBDIVISION,
SECTION TWO
OUT OF THE
H.T.&B. R.R. CO. SURVEY
SECTION 64
ABSTRACT NO. 483
CITY OF MANVEL
BRAZORIA COUNTY, TEXAS

WEST  BELT
SURVEYING, INC.

21020 PARK ROW
KATY, TX. 77449

PHONE: (281) 599-8211
FAX: (281) 492-6000

NO.	DATE	RELATIONS
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[illegible][illegible][illegible]

12/4/23	REFERENCED NEW TITLE COMMITMENT
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DRAWN BY: MDL	CHECKED BY: RMH
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SCALE: 1-50	APPROVED BY: JDW
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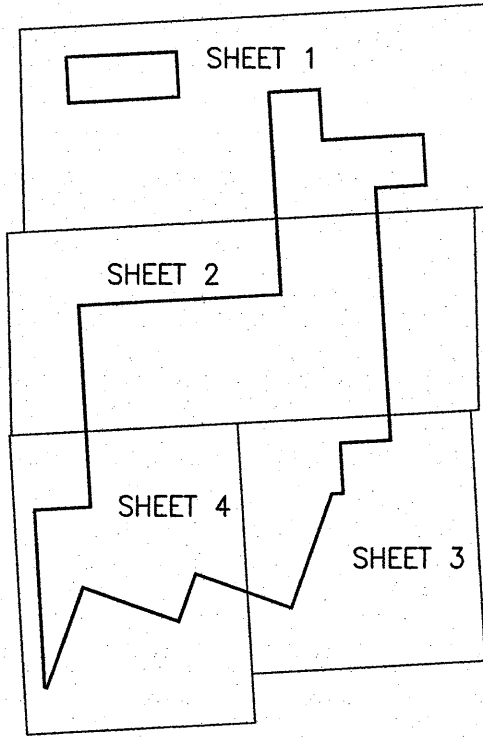
PROJECT NO. 3847-0337A | DATE: NOVEMBER 28, 2023

NOTES:

- 1) ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83, 1993 ADJ.
- 2) THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CHICAGO TITLE OF TEXAS, LLC, AS AGENT FOR CHICAGO TITLE INSURANCE COMPANY, OF NO. CTH-COM--CTT20731337, HAVING AN EFFECTIVE DATE OF MARCH 3, 2021, AND AN ISSUED DATE MARCH 10, 2021. THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT.
- THE FOLLOWING ITEMS IN SCHEDULE B, ARE AS FOLLOWS:
- 10 D. ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 91 AND 92 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS; PUBLIC ROAD EASEMENT ALONG THE NORTH PROPERTY LINE. (AS TO LOTS 5, 7, 13, 15, 19, 21, 23, 29, 31, 33, 34, 35, 37, 39, 43, 45 AND 47 AND OUTLOTS 174, 175 AND 195, OF TRACT 1)
PUBLIC ROAD EASEMENT ALONG THE SOUTH PROPERTY LINE. (AS TO LOTS 6, 8, 14, 16, 22, 24, 30, 32, 34, 36, 38, 40, 42, 44, 46 AND 50, OF TRACT 1 AND TRACT 2)
PUBLIC ROAD EASEMENT ALONG THE WEST PROPERTY LINE. (LOTS 5, 6, 7 AND 8, OF TRACT 1 AND LOT 6, OF TRACT 2). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 E. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY
RECORDING DATE: JULY 30, 1913
RECORDING NO:VOLUME 120, PAGE 632, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN.(AS TO LOTS 5 AND 6, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 F. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY
RECORDING DATE: OCTOBER 9, 1913
RECORDING NO:VOLUME 122, PAGE 523, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN.(AS TO LOT 16, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 G. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY
RECORDING DATE: AUGUST 15, 1913
RECORDING NO:VOLUME 123, PAGE 17, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN.(AS TO LOT 42, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 H. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME CORPORATION
RECORDING DATE: NOVEMBER 19, 1914
RECORDING NO:VOLUME 129, PAGE 337, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOTS 7 AND 8, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 I. ROADWAY AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT: RESERVED BY: ALLISON-RICHEY GULF COAST HOME CORPORATION
RECORDING DATE: JUNE 25, 1914
RECORDING NO:VOLUME 130, PAGE 301, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 50, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 J. ROAD EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT:
RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY RECORDING DATE: FEBRUARY 27, 1918
RECORDING NO:VOLUME 145, PAGE 245, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO TRACT 2)
- 10 K. ROAD EASEMENT(S) AND APPURTENANCES AS RESERVED IN A DOCUMENT:
RESERVED BY: ALLISON-RICHEY GULF COAST HOME COMPANY RECORDING DATE: OCTOBER 15, 1920
RECORDING NO:VOLUME 165, PAGE 67, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS
AFFECTS: 20 FEET WIDE AND TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 47, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 L. LATERAL OR CANAL EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO:AMERICAN CANAL COMPANY
RECORDING DATE: NOVEMBER 22, 1955
RECORDING NO:VOLUME 638, PAGE 127, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS AND AS AFFECTED BY INSTRUMENT RECORDED IN VOLUME (88) 583, PAGE 134, DEED RECORDS BRAZORIA COUNTY, TEXAS
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOTS 25, 33, 34, 35, 36, 37, 45, 46 AND 47 AND OUTLOT 180 AND OUTLOT 195, OF TRACT 1 AND TRACT 2). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 M. LATERAL OR CANAL EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO:BRAZOS VALLEY RICE COMPANY
RECORDING DATE: OCTOBER 8, 1962
RECORDING NO:VOLUME 702, PAGE 667, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS AND AND INSTRUMENT RECORDED IN VOLUME 822, PAGE 278, DEED RECORDS BRAZORIA COUNTY, TEXAS
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 50, OF TRACT 1). DOES AFFECT SUBJECT TRACT(LOT 50), NO DEFINED WIDTH.
- 10 N. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO: BRAZOS RIVER AUTHORITY
RECORDING DATE: SEPTEMBER 24, 1970
RECORDING NO:VOLUME 1070, PAGE 46, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS AFFECTS:TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO QUOTLOTS 174 AND 175, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 O. ROAD AND DRAINAGE EASEMENT(S) AND APPURTENANCES AS REFERENCED IN A DOCUMENT: RECORDING DATE: SEPTEMBER 27, 1973
RECORDING NO:VOLUME 1177, PAGE 396, OF THE DEED RECORDS OF BRAZORIA, COUNTY, TEXAS AFFECTS:REFERENCED IN PARAGRAPHS A. AND B. TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 7, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 P. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT: GRANTED TO: GALVESTON COUNTY WATER AUTHORITY
RECORDING DATE: AUGUST 24, 1988
RECORDING NO:IN VOLUME (88) 584, PAGE 517, DEED RECORDS BRAZORIA COUNTY, TEXAS AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO OUTLOT 174 AND 175, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 Q. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: MONUMENT PIPELINE, LP, A TEXAS LIMITED PARTNERSHIP RECORDING DATE: FEBRUARY 6, 2007
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2007007303
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 16, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 R. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: MONUMENT PIPELINE, LP, A TEXAS LIMITED PARTNERSHIP RECORDING DATE: FEBRUARY 6, 2007
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2007007304
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOTS 24, 32 AND 40, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 S. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: MONUMENT PIPELINE, LP, A TEXAS LIMITED PARTNERSHIP RECORDING DATE: FEBRUARY 6, 2007
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2007007305
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 8, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 T. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: MARCH 15, 2016
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016011560
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO OUTLOTS 174 AND 175, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 U. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: JUNE 1, 2016
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016025269
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 7, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 V. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: JUNE 6, 2016
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016026156
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOTS 5 AND 6, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
JUDGEMENT RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NO(S). 2016056622-IS NOT RELATED TO SAID BCMUD NO. 43 EASEMENT
- 10 W. DRAINAGE EASEMENT(S) AND APPURTENANCES AS GRANTED IN A DOCUMENT:
GRANTED TO: BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43 RECORDING DATE: JUNE 6, 2016
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016026159
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOT 8, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.

- 10 X. PIPELINE RIGHT-OF-WAY AND EASEMENT(S) AND APPURTENANCES AS GRANTED IN AN AGREED FINAL JUDGMENT: GRANTED TO: ENTERPRISE CRUDE PIPELINECOMPANY LLC
RECORDING DATE: OCTOBER 19, 2016
RECORDING NO:UNDER BRAZORIA COUNTY CLERK'S FILE NUMBER(S) 2016051534 AND INSTRIMENT RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NO(S). 2016056622
AFFECTS: TRAVERSING A PORTION OF THE SUBJECT PROPERTY AND BEING MORE PARTICULARLY LOCATED AND DEFINED THEREIN. (AS TO LOTS 5, 13, 21, 29, 37 AND 45, OF TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 CG. PERMANENT EASEMENT AGREEMENT AS EVIDENCED BY MEMORANDUM OF PERMANENT EASEMENT AGREEMENT EXECUTED BY: WESTBANK BAYOU, L.P., A TEXAS LIMITED PARTNERSHIP
RECORDING DATE: SEPTEMBER 26, 2019
RECORDING NO.: UNDER BRAZORIA COUNTY CLERK'S FILE NO(S). 2019046366. (AS TO TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 10 CH. PERMANENT EASEMENT AGREEMENT AS EVIDENCED BY MEMORANDUM OF PERMANENT EASEMENT AGREEMENT EXECUTED BY:FOUR FORTY-THREE, LTD., A TEXAS LIMITED PARTNERSHIP
RECORDING DATE: SEPTEMBER 26, 2019
RECORDING NO.: UNDER BRAZORIA COUNTY CLERK'S FILE NO(S). 2019047623. (AS TO TRACT 1). DOES AFFECT SUBJECT TRACT AND SHOWN HEREON.
- 3) IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAPS, MAP NO. 48039C0130K, AND MAP NO. 48039C0110K, WITH A REVISED DATE OF DECEMBER 30, 2020, BY GRAPHICAL PLOTTING, THE SUBJECT TRACT LIES WITHIN ZONE "AO" (DEPTH 2') AND ZONE "X"(UNSHADED). ZONE "X"(UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN. ZONE "AO" IS DEFINED AS A SPECIAL FLOOD HAZARD AREA WITH FLOOD DEPTHS OF 1 TO 3 FEET (USUALLY SHEET FLOW ON SLOPING TERRAIN); AVERAGE DEPTHS DETERMINED. FOR AREAS OF ALLUVIAL FAN FLOODING, VELOCITIES ALSO DETERMINED. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. "LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS."
- 4) MINERAL INTERESTS WERE NOT INVESTIGATED AS A PART OF THIS SURVEY.
- 5) THIS SURVEY DOES NOT DETERMINE THE LOCATION OF WETLANDS, FAULT LINES, OR OTHER ENVIRONMENTAL ISSUES SHOULD THEY EXIST.
- 6) THERE IS NO VISIBLE EVIDENCE OF BURIAL GROUNDS OR MAJOR EARTH WORK AT THE TIME OF THE SURVEY.
- 7) THIS SURVEY IS ISSUED IN CONJUNCTION WITH THE METES AND BOUNDS DESCRIPTION BY LJA SURVEYING, INC. OF THE SAME CERTIFICATION DATE SHOWN HEREON, HEREBY REFERENCED AS PART 2 OF 2. THIS SURVEY IS PART 1 OF 2.

EXHIBIT C



ACREAGE SUMMARY	
TRACT 1:	418.432 ACRES
TRACT 2:	19.961 ACRES
TOTAL AREA:	438.393 ACRES

**LAND TITLE SURVEY OF
438.393 ACRES
ALL OF LOTS 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31,
32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, AND 50
OF SECTION 73 AND LOTS 6 AND 12 OF DIVISION "O"
OF THE ALLISON RICHEY GULF COAST HOME COMPANY
PART OF SUBURBAN GARDENS SUBDIVISION,
VOL. 2, PAGE 91-92, B.C.P.R.
ALL OF OUTLOTS 175 AND 195 AND
PART OF OUTLOTS 174 AND 180
DR. A. A. LUTHER SUBDIVISION OF MANVEL
AND SURROUNDING ACREAGE PROPERTY
VOL. 1, PAGES 71-72 AND VOL. 3, PAGE 139-140, B.C.P.R.
LOCATED IN THE
H.T. & B. RR CO. SURVEY, SEC 65, A-285,
H.T. & B. RR CO. SURVEY, SEC 73, A-301,
H.T. & B. RR CO. SURVEY, SEC 64 (A.K.A.)
MARY V. O'DONNELL SURVEY , A-483,
AND MARY V. O'DONNELL SURVEY, A-469
BRAZORIA COUNTY, TEXAS**

FEBRUARY 2021 JOB NO. LJA001-2791-2101

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

EXHIBIT D

METES AND BOUNDS DESCRIPTION
OF
TRACT 1

A 418.318 acre (18,221,949 square feet) tract, being all of Lots 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47 and 50 of the Allison-Richey Gulf Coast Home Company Suburban Gardens Subdivision of Section 73, H.T. & B. Railroad Company Survey, Abstract 301, according to the map or plat thereof, recorded in Volume 2, Page 91 and 92, of the Plat Records of Brazoria County, Texas (B.C.P.R.) and being all of those certain tracts conveyed to Westbank Bayou, LP, called 19.919 acres (Lots 5-6), recorded in Brazoria County Clerk's File Number (B.C.C.F. No.) 2007021508, called 9.929 acres (Lot 8), recorded in B.C.C.F. No. 2007017868 and called 9.972 acres (Lot 16), recorded in B.C.C.F. No. 2007018701 and being all of that certain tract conveyed to Charles L. Sowell called 9.988 acres (Lot 7), recorded in Volume 1177, Page 396, deed records of Brazoria County, Texas (B.C.D.R.), and being all of those certain tracts conveyed to Eastbank Bayou, LP, called 10 acres (Lot 33), recorded in B.C.C.F. No. 2007022032, called 19.944 acres (Lots 42-43), recorded in B.C.C.F. No. 2008004369 and called 10 acres (Lot 47), recorded in B.C.C.F. No. 2008004367 and being all of that certain tract conveyed to Four Forty-Three Annex No. 1, LTD., called 10.00 acres (Lot 50), recorded in B.C.C.F. No. 2006045403 and being a part of that certain tract conveyed to Four Forty-Three Ltd. (called 433.09 acres), recorded in Volume 1048, Page 760, B.C.D.R., with said 18,221,949 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the Northeast corner of said Section 73 and an interior corner of the H.T. & B. Railroad Company Survey, Section 74, Abstract 493, recorded in Volume 2, Page 66, B.C.P.R.) and being at the centerline intersection of 60 foot Pollard Drive (as occupied) (Platted as 40 feet - Volume 2, Page 91 and 92, B.C.P.R.) and 60 foot Del Bello Boulevard (as occupied)(Platted as 50 feet - Volume 2, Page 66, B.C.P.R.), marking the northeast corner of the Michael D. Roland and Marcy D. Roland tract (called 5.46 acres), recorded in B.C.C.F. No. 2004072423 and 2007030104, the northwest corner of the Michael C. Black tract (called 4.00 acres), recorded in B.C.C.F. No. 96-015514 and the Northeast corner of said Section 73;

THENCE S 86°50'29" W, along and with the common line of Section 73 and 74 and centerline of said 40 foot platted road, at 658.00 feet pass a point marking the southwest corner of Lot 1 of said Section 74 and the southeast corner of the Mary V O'Donnell Survey, Division "O", Abstract 469, recorded in Volume 2, Page 91 and 92, B.C.P.R., from which a 5/8 inch iron rod bears, S 38°48'33" W, 3.08 feet, continuing along and with the common line of Section 73 and Division "O" and centerline of said 40 foot platted road, a total distance of 1974.26 feet (called 1980.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set in the north line of Section 73, the north line of a 60 foot American Canal Company Easement, recorded in Volume 638, Page 127, B.C.D.R., the south line of said Division "O", Abstract 469, the south line of the Sylvia Buffy Orndorff and Dustin Aaron Different tract (called 13.93 acres), recorded in B.C.C.F. No. 2015054435, and the centerline of said 40' platted road, marking the northwest corner of the Katherine Ott Miles tract (called 5 acres), recorded in Volume 1459, Page 1, B.C.D.R., the northeast corner of said Eastbank Bayou, LP tract (Lot 33), and being the common corner of Lot 33 and 41 of said Section 73 at the most northerly Northwest corner and **POINT OF BEGINNING** of herein described tract:

THENCE S 03°24'40" E, along and with the common line of said Lot 33 and 41, a distance of 660.58 feet (called 660.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, marking the southeast corner of said Eastbank Bayou, LP tract (Lot 33), the southwest corner of said Miles tract, the northwest corner of said Eastbank Bayou, LP tract (called 19.944 acres), an interior corner of herein described tract and being the common corner of Lots 33, 41, 42 and 34 of said Section 73;

THENCE N 86°49'54" E, along and with the common line of Lots 41, 42, 49 and 50 of said Section 73, a distance of 1314.38 feet (called 1320.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southeast corner of the Jane Hetherington Brown and Norman Paul Brown tract (called 5 acres), recorded in B.C.C.F. No. 2014042893, the southwest corner of the Suzanne Renae Scopel tract (called 5 acres), recorded in B.C.C.F. No. 2005013089, the northwest corner of the Jeffery Wayne Scopel tract (called 1.157 acres), recorded in B.C.C.F. No. 2005013109, the northeast corner of said Four Forty-Three Annex No. 1, LTD. Tract (called 10.00 acres) and the most easterly northeast corner of herein described tract and being the common corner of Lots 49, 55, 56 and 50 of said Section 73;

THENCE S 03°25'11" E, along and with the common line of Lots 50 and 56 and east line of said Four Forty-Three Annex No. 1, LTD. tract, a distance of 660.67 feet (called 660.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southwest corner of the Douglas Varner Tract (called 1.157 acres), recorded in Volume (91) 906, Page 253, of the official records of Brazoria County, Texas (B.C.O.R.), the northwest corner of the Laura Loterbauer tract (called Minor Plat of 2.50 acres), recorded in B.C.C.F. No. 2018006317, the northeast corner of the Louis Lira tract (called 20 acres), recorded in Volume 1694, Page 653, B.C.D.R. and an angle point for corner of herein described tract and being the common corner of Lots 50, 56, 57 and 51 of said Section 73;

THENCE S 86°50'32" W, along and with the common line of Lots 50 and 51, same being the common line of said Four Forty-Three Annex No. 1, LTD. Tract and said Lira tract, a distance of 657.24 feet (called 660.00 feet), to a 5/8 inch iron rod with cap stamped "FMS" set, in the east line of said Eastbank Bayou, LP tract (called 19.944 acres), marking the southwest corner of said Four Forty-Three Annex No. 1, LTD. tract, the northwest corner of said Lira tract, an interior corner of herein described tract and being the common corner of Lots 50, 51, 43 and 42 of said Section 73;

THENCE S 03°24'55" E, along and with the common line of Lots 43, 51, 44, 52, 45, 46 and 61 at 1320.21 feet (called 1320.00 feet) pass a point in the centerline of a 40 foot platted road, recorded in Volume 2, page 91 and 92, B.C.P.R. marking the northwest corner of the Coastal Bend Land Investments, LP tract (called 40.0060 acres)(called Lot 61), recorded in B.C.C.F. No. 2006049617 and being the common corner of Lots 44, 52, 61 and 45, continuing for a total distance of 3299.48 feet (called 3300.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southwest corner of the Jose T. Villanueva and Trinidad Villanueva tract (called 5 acres), recorded in B.C.C.F. No. 2004036528, the northwest corner of the Roger Hernandez Gandarillas and Sheila M. Rosario Crespo tract (called 1.000 acre), recorded in B.C.C.F. No. 2015020827, the northeast corner of said Aspect Energy, LLC tract (called 10 acres), the southeast corner of the said Eastbank Bayou, LP tract (called 10 acres)(Lot 47), the most easterly southeast corner of herein described tract and being the common corner of Lots 53, 54, 48 and 47 of said Section 73;

THENCE S 86°49'54" W, along and with the common line of Lots 48 and 47, same being the common line of said Eastbank Bayou, LP tract (Lot 47) and said Aspect Energy, LLC tract, a distance of 657.49 feet (called 660.00 feet) to a 1/2 iron rod with cap stamped "Adams RPLS 3666" found in the east line of the of said 443.09 acre tract, marking the southwest corner of said Eastbank Bayou, LP tract and the northwest corner of said Aspect Energy, LLC tract, and interior corner of herein described tract and being the common corner of Lots 48, 40, 39 and 47 of said Section 73;

THENCE S 03°24'40" E, along and with the common line of Lots 48 and 40, same being the common line of said Aspect Energy, LLC tract and said 443.09 acre tract, a distance of 660.05 feet (called 660.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set in the centerline of a 40 foot platted road, recorded in Volume 2, Page 91 and 92, B.C.P.R., in the called south line of Section 73 and the north line of the H.T. & B. Railroad Company Survey, Section 64, Abstract 483 and the north line of the Dr. A.A. Luther Subdivision of Manvel, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R. and the north line of Outlot 181 of said Dr. A.A. Luther Subdivision, marking the northwest corner of the Coastal Bend Land Investments, LP tract (remainder of a called 167.073 acre tract), recorded in B.C.C.F. No. 2004058628, the southwest corner of said Aspect Energy, LLC tract, an angle point in the east line of said 443.09 acre tract and an angle point for corner of herein described tract and being the common corner of Lots 48 and 40 of said Section 73, from which a 5/8 inch iron rod with cap stamped "Base Line" found marking the southeast corner of said Section 73 bears, S 86°50'11" W, 1975.03 feet;

THENCE S 86°50'11" W, continuing along and with the common line of said Section 73, Section 64 and the Dr. A.A. Luther Subdivision, same being the common line of said Outlot 181 and Lot 40, and centerline of said 40 foot platted road, a distance of 147.66 feet to a 5/8 inch iron rod with cap stamped "FMS" set in said common line, marking the northeast corner of the Four Forty-Three, LTD. Tract (called 24.00 acres)(Outlot 195), recorded in Volume 1048, Page 760, B.C.D.R. and an interior corner of herein described tract and being the westerly line of a 40 foot platted road, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R.;

THENCE S 19°30'25" W, along and with the easterly line of said Outlot 195 and the westerly line of said 40 foot platted road, at 909.98 feet pass a 1/2 inch iron rod found, marking the southeasterly corner of said Outlot 195 and the northeasterly corner of the Four Forty-Three, LTD. Tract (called 20.00 acres)(North ½ of Outlot 180), continuing for a total distance of 1569.69 feet to a 1 inch iron pipe found, marking the southeasterly corner of said 20.00 acre tract, the northeasterly corner of the Beazer Homes Texas, LP tract (called 19.99 acres)(south ½ Outlot 180), recorded in B.C.C.F. No. 2016050422 and an angle point in the westerly line of the Beazer Homes Texas, LP tract (called 5.40 acres), recorded in B.C.C.F. No. 2016050422 and the most easterly southeast corner of herein described tract;

THENCE N 70°27'42" W, along and with the common line of said North ½ of Outlot 180 and the South ½ of Outlot 180, a distance of 1319.95 feet (called 1320.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three, LTD. Tract (called 46.35 acres)(Outlot 175), marking the common corner of the South ½ and North ½ of Outlot 180 and an interior corner of herein described tract;

THENCE S 19°29'54" W, along and with the common line of said 46.35 acre tract and said 19.99 acre tract, same being the common line of Outlot 180 and 175, a distance of 660.47 feet to a 1/2 inch iron rod with cap stamped "LJA Eng" found, in the north line of a 40 foot platted road, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R., marking the most westerly northwest corner of said 5.40 acre tract, the southeasterly corner of said 46.35 acre tract and the southwesterly corner of said 19.99 acre tract and an interior corner of herein described tract;

THENCE N 70°26'20" W, along and with the south line of 46.35 acre tract and the north line of said 40 foot platted road, a distance of 1321.08 feet to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three, LTD. Tract (called 27.7947 acres)(Outlot 174) and the westerly line of said 40 foot platted road, marking the southwesterly corner of said 46.35 acre tract and an interior corner of herein described tract;

THENCE S 19°28'54" W, along and with the common line of said 27.7947 acre tract and westerly line of said 40 foot platted road, a distance of 1390.63 feet to a TxDot Brass Disk found in the northwesterly right-of-way (r.o.w.) line of State Highway No. 6 (a.k.a. Morris Avenue)(200' R.O.W.), recorded in B.C.C.F. No. 2013053500, marking the southeasterly corner of said 27.7947 acre tract and the most southerly southeast corner of herein described tract;

THENCE N 70°30'10" W, along the northwesterly r.o.w. line of said State Highway No. 6, a distance of 33.83 feet to a TxDot Brass Disk found, marking the southeasterly corner of the Russell T. Rudy and Randall D. Rudy tract (called 18 acres), recorded in Volume 1408, Page 806, B.C.D.R., the southwesterly corner of said 27.7947 acre tract and the most southerly southwest corner of herein described tract, from which a TxDot Brass Disk found, at the intersection of easterly r.o.w. line of County Road 82 (a.k.a. Iowa Lane)(60' R.O.W. as occupied), recorded in B.C.C.F. No. 2006021816 and the northwesterly r.o.w. line of said State Highway No. 6, marking the southwesterly corner of a 0.217 acre tract, recorded in B.C.C.F. No. 2013053500 bears, N 70°30'10" W, 365.23 feet;

THENCE N 03°19'19" W, along and with the common line of said 27.7947 acre tract and said 18 acre tract, a distance of 2310.10 feet to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, marking the northwest corner of said 27.7947 acre tract and an angle point for corner of herein described tract, from which a 3/4 inch pinched top pipe bears, N 09°17' W, 1.1 feet and from which an iron rod with cap stamped "Kalkomey" found in the easterly r.o.w. line of said County Road 82, marking the northwest corner of said 18 acre tract, bears S 87°00'54" W, 328.14 feet and a 5/8 inch iron rod found in the easterly r.o.w. line of said County Road 82, marking the southwest corner of a called 41.4819 acre tract, recorded in B.C.C.F. No. 2003061748 bears, N 02°13'14" W, 38.07 feet;

THENCE N 86°57'38" E, along and with the north line of said 18 acre tract, a distance of 729.52 feet to a 5/8 inch iron rod with cap stamped "FMS" set, at the southwest corner of Section 73 and being in the centerline intersection of two 40 foot platted roads and being the common corner of said Section 73 and the H.T. & B. Railroad Company Survey, Section 72, Abstract 460, marking the southeast corner of the Brazos River Authority tract (called 6.676 acres)(cause no. 54,761A), recorded in Volume 33, Page 154, district clerk records of Brazoria County, Texas (B.C.D.C.R.), the southwest corner of the Brazoria County MUD No. 43 Drainage Easement (called 1.675 acres, recorded in B.C.C.F. No. 2016026159, the southwest corner of said 9.929 acre tract and an interior corner of herein described tract;

THENCE N 03°28'57" W, along and with the common line of said Section 73 and Section 72 and centerline of said 40 foot platted road, at 40.00 feet pass a point marking the southwest corner of a 0.34 acre tract (Parcel 1) out of said called 41.4819 acre tract, continuing for a total distance of 2640.38 feet (called 2640.00 feet) to a 1 inch iron pipe found, marking the northwest corner of a 0.25 acre tract (Parcel 2), the northwest corner of said 19.919 acre tract, the northwest corner of a 3.430 acre drainage easement, recorded in B.C.C.F. No. 2016026156, the northeast corner of said Brazos River Authority tract (called 6.676 acres), the southeast corner of the Brazos River Authority Parcel "D" tract (called 3.18 acres), recorded in Volume 1070, Page 315, B.C.D.R., the southwest corner of the Brazos River Authority Parcel "B" tract (called 0.61 acres), recorded in Volume 1070, Page 318, B.C.D.R., the southwest corner of the Brazoria County Municipal Utility District (M.U.D.) No. 43 Drainage Easement tract (called 1.739 acres), recorded in B.C.C.F. No. 2016011559 and the common corner of Lots 4 and 5, Section 73, from which a 1/2 inch iron rod found in the east r.o.w. line of County Road 82 (a.k.a. Iowa Lane)(60' R.O.W. as occupied), recorded in B.C.C.F. No. 2006021816, marking the southwest corner of the Joan Banneyer tract (called 1.367 acres), recorded in B.C.C.F. No. 2005003981 and the northwest corner of the Sonmar of Scottsdale, LLC tract (called 53.948 acres), bears S 86°37'46" W, 900.42 feet;

THENCE N 86°51'03" E, along and with the common line of herein described tract and said lot 4 and the centerline of a 40 foot platted road, at 657.75 feet (called 660.00 feet) pass a 3/4 inch iron pipe found, marking the northeast corner of said 19.919 acre tract and the southwest corner of the 102929 Brazoria Inc. tract (called 34.90 acres), recorded in B.C.C.F. No. 2005033429 and being the common corner of Lots 4, 12, 13 and 5, and at 1973.99 feet (called 1980.00 feet) pass a 1/4 inch iron pipe found, marking the southeast corner of said 34.90 acre tract and being the common corner of Lots 20, 28, 29 and 21, continuing for a total distance of 2632.44 feet (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" found in the west line of a 60 foot American Canal Company Easement, recorded in Volume 638, Page 127, B.C.D.R., marking an interior corner of said remainder of a 433.09 acre tract and an interior corner of herein described tract and being the common corner of Lots 28, 36, 37 and 29 of said Section 73;

THENCE N 03°27'06" W, along and with the common line of Lots 28, 36, 27, 35, 26, 34, 25 and 33 and the west line of said 60 foot American Canal Company Easement, a distance of 2641.03 feet (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" found in the north line of Section 73, the north line of a said 60 foot American Canal Company Easement, the south line of the Mary V O'Donnell Survey, Division "O", Abstract 469, recorded in Volume 2, Page 91 and 92, B.C.P.R. the south line of the John and Edith Lebourgeois tract (called 6.978 acres), recorded in B.C.C.F. No. 98-053061, the north line of the Eastbank Bayou, LP tract (called 19.950 acres), recorded in B.C.C.F. No. 2007022032 and the centerline of said 40 foot platted road, marking the most northerly northwest corner of herein described tract and being the common corner of Lot 25 and 33 of said Section 73, from which a 1/2 inch iron rod found bears, S 82°35" E, 14.3 feet;

THENCE N 86°50'29" E, along and with the common line of Section 73, Division "O", the centerline of said 40 foot platted road and the north line of said 60 foot American Canal Company Easement, a distance of 659.60' (called 660.00 feet) to the **POINT OF BEGINNING** and containing a calculated area of 418.318 acres of land.

EXHIBIT D

FIRST TRACT

18.643 ACRES
812,089 SQUARE FEET
H.T.&B. R.R. CO. SURVEY, SECTION 64
ABSTRACT NO. 483
CITY OF MANVEL
BRAZORIA COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 18.643 acre (812,089 square foot) tract of land located in the H.T.&B. R.R. Co. Survey, Section 64, Abstract Number 483, City of Manvel, Brazoria County, Texas and said 18.643 acre tract of land being all of Tract II, a called 18.643 acre tract described in the deed to Alvin Independent School District recorded under Brazoria County Clerk's File Number (B.C.C.F. No.) 2021066368, and being out of and a part of Outlot 181, Dr. A.A. Luther Subdivision recorded under Volume (Vol.) 1, Pages (Pg.) 71 & 72 of the Brazoria County Plat Records (B.C.P.R.) and the E.C. Pitkin Subdivision recorded under Vol. 3, Pg. 139, B.C.P.R., said 18.643 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to the Texas Coordinate System, South Central Zone, NAD 1983.)

BEGINNING in the southerly line of Lot 48, Section 73, Allison Richey Gulf Coast Home Co. Subdivision, recorded under Vol. 2, Pg. 91, B.C.P.R. and being the northwest corner of Restricted Reserve "M", Lakeland Subdivision, Section Two recorded under File No. 2014018651, B.C.P.R. and the northeast corner of said Tract II and the herein described tract, from which a 5/8-inch iron rod with cap stamped "Baseline" found bears, North 85 degrees 14 minutes East, 0.62 feet;

THENCE, South 03 degrees 25 minutes 41 seconds East, along the west line of said Restricted Reserve "M", passing at a distance of 88.02 feet, the southwest corner of said Restricted Reserve "M" and the most westerly northwest corner of Restricted Reserve "H", said Lakeland Subdivision, Section 2, from which a 5/8-inch iron rod with cap stamped "Baseline" bears, South 23 degrees 23 minutes East, 0.32 feet, continuing along the west line of said Restricted Reserve "H", passing at a distance of 612.00 feet, the southwest corner of said Restricted Reserve "H" and the northwest corner of the remainder of a called 5.632 acre tract described in the deed to Lakeland Communities, LP, recorded under B.C.C.F. No. 2013029570, continuing along the west line of said remainder of a called 5.632 acre tract, passing at a distance of 692.00 feet, the southwest corner of said remainder of a called 5.632 acre tract and the northwest corner of Restricted Reserve "E", said Lakeland Subdivision, Section Two, continuing along the west line of said Restricted Reserve "E", a total distance of 1,236.28 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found in the northeasterly line of Lot 20, Block 1, Bluewater Lakes, Section 4, a subdivision recorded under File No. 2018019193, B.C.P.R. and marking the southwest corner of said Restricted Reserve "E" and the southeast corner of said Tract II and the herein described tract;

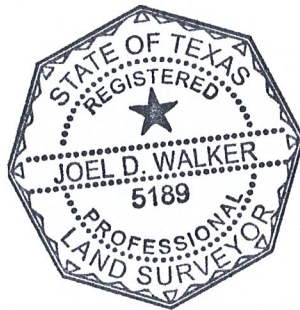
THENCE, North 70 degrees 28 minutes 49 seconds West, along the northeasterly line of said Block 1, Bluewater Lakes, Section 4, a distance of 1,005.41 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found in the northeasterly line of Lot 6, Block 1, said Bluewater Lakes, Section 4 and the southeasterly line of a 40' wide roadway easement, recorded under Vol. 1, Pgs. 71 & 72, B.C.P.R. and Vol. 3, Pg. 139, B.C.P.R. and marking the southwest corner of said Tract II and the herein described tract, from which a 5/8-inch iron rod with cap found bears, North 70 degrees 29 minutes West, 20.00 feet and a 1/2-inch iron rod found bears, North 70 degrees 29 minutes West, 40.00 feet;

EXHIBIT D

THENCE, North 19 degrees 32 minutes 37 seconds East, departing the northeasterly line of said Block 1, Bluewater Lakes, Section 4 and along the southeasterly line of said 40' wide roadway easement, a distance of 917.07 feet, to the southerly of Lot 40, Section 73, aforesaid Allison Richey Gulf Coast Home Co. subdivision and the northwest corner of said Tract II and the herein described tract, from which a 5/8-inch iron rod with cap stamped "Leany" found bears, North 02 degrees 29 minutes West, 0.33 feet;

THENCE, North 86 degrees 34 minutes 43 seconds East, along the southerly line of said Lot 40, Section 73 and aforesaid Lot 48, Section 73, a distance of 567.93 feet, to the POINT OF BEGINNING and containing a computed area of 18.643 acres (812,089 square feet) of land as depicted on the Land Title Survey dated: November 28, 2023, revised: December 4, 2023, prepared by West Belt Surveying, Inc., Project No. S647-0337A.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row
Katy, Texas 77449
(281) 599-8288



Joel D. Walker
Joel D. Walker Date: 12/4/23
Texas Registration No. 5189

EXHIBIT D

Exhibit B

Legal Description of Drill Site

[Attached]

August 19, 2021
Job No. LJAS001-2791-2104

DESCRIPTION OF
4.000 ACRES
DRILL SITE

Being 4.000 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, and also being a portion of Outlot 195 of the Dr. A. A. Luther Subdivision of Manvel and Surrounding Acreage Property, according to the plat recorded in Volume 1, Pages 71-72, and Volume 3, Pages 139-140 of the Plat Records of Brazoria County, Texas (B.C.P.R.), and a portion of that certain tract conveyed to Four Forty Three, Ltd. (described as Fourth Tract) by instrument of record in Volume 1048, Page 760, of the Deed Records of said Brazoria County, Texas (B.C.D.R.), said 4.000 acres being more particularly described as follows (all bearings referenced to the Texas Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at a 1/2-inch iron rod with cap stamped, "S ADAMS RPLS 3666" found for the southeast corner of said Fourth Tract and said Outlot 195, same being the northeast corner of that certain called 20.000 acre tract, conveyed to Four Forty Three, Ltd. (described as Fifth Tract) by instrument of record in Volume 1048, Page 760, B.C.D.R. and Outlot 180 of said Dr. A. A. Luther Subdivision, same being on the northwesterly line of a called 40 foot wide-right-of-way as shown on said Dr. A. A. Luther Subdivision;

Thence, North 19° 31' 43" East, along the east line of said Fourth tract and said Outlot 195, same being a northwesterly line of said 40 foot wide right-of-way, 454.12 feet to the southeast corner and the POINT OF BEGINNING of the herein described tract;

Thence, South 89°45'12" West, departing said common line, 467.08 feet to a point for corner, the beginning of a curve;

EXHIBIT D

4.000 Acres

August 19, 2021
Job No. LJAS001-2791-2104

Thence, 78.42 feet along the arc of a non-tangent curve to the left, having a radius of 1,860.00 feet, a central angle of $02^{\circ} 24' 56''$, and a chord which bears North $21^{\circ} 46' 51''$ West, 78.41 feet to a point for corner;

Thence, North $22^{\circ} 59' 19''$ West, 225.66 feet to a point for corner, the beginning of a curve;

Thence, 49.74 feet along the arc of a tangent curve to the right, having a radius of 30.00 feet, a central angle of $95^{\circ} 00' 00''$, and a chord which bears North $24^{\circ} 30' 41''$ East, 44.24 feet to a point for corner, the beginning of a compound curve;

Thence, 324.76 feet along the arc of a non-tangent curve to the right, having a radius of 472.48 feet, a central angle of $39^{\circ} 22' 55''$, and a chord which bears North $89^{\circ} 47' 18''$ East, 318.40 feet to a point for corner;

Thence, South $70^{\circ} 28' 17''$ East, 340.27 feet to a point for corner on the northwesterly right of way line of the aforementioned 40 foot wide-right-of-way, same being the southeasterly line of the aforementioned Fourth Tract and the aforementioned Outlot 195, from which a 1/2-inch iron rod with cap stamped "S ADAMS RPLS 3666" found for the northwest corner of said 40 foot wide right-of-way, same being the northeast corner of said Fourth Tract, and said Outlot 195, said point lying on the south line of Lot 40 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, B.C.P.R. and that certain tract conveyed to Four Forty Three, Ltd. (described as First Tract) by instrument of record in Volume 1048, Page 760, B.C.D.R., same being the north line of the aforementioned Mary V. O'Donnell Survey bears North $19^{\circ} 31' 43''$ East, 237.23 feet;

EXHIBIT D

4.000 Acres

August 19, 2021
Job No. LJA001-2791-2104

Thence, South 19° 31' 43" West, along the southeasterly line of said Fourth Tract and said Outlot 195, same being the northwesterly line of said 40 foot wide right-of-way, 218.81 feet to the POINT OF BEGINNING and containing 4.000 acres of land.

Corner monuments were not set at the Client's request.



LJA Surveying, Inc.

LEGEND

B.C.O.P.R. OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS

B.C.O.R. OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS

B.C.P.R. PLAT RECORDS OF BRAZORIA COUNTY, TEXAS

B.C.D.R. DEED RECORDS OF BRAZORIA COUNTY, TEXAS

P.O.C. POINT OF COMMENCING

P.O.B. POINT OF BEGINNING

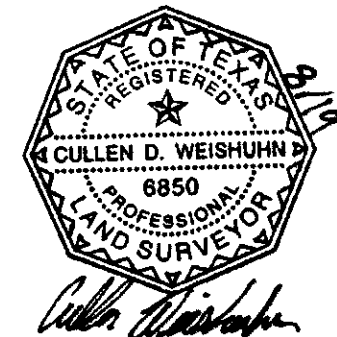
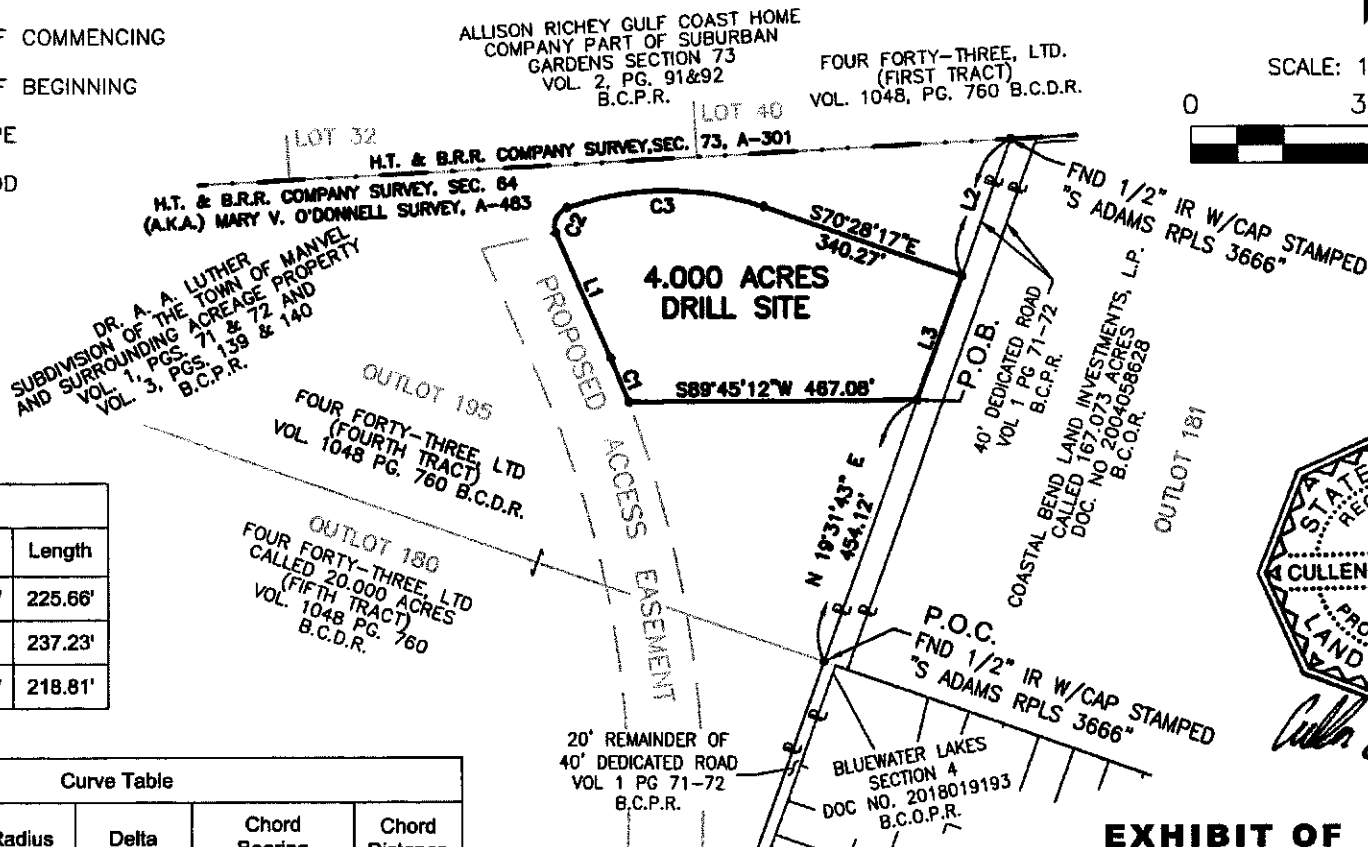
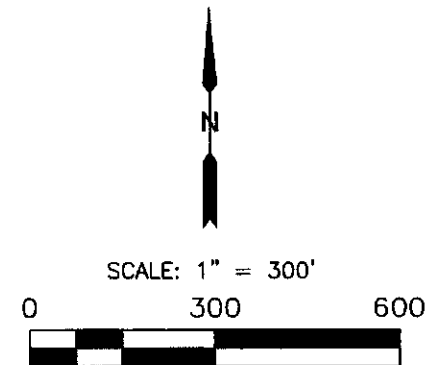
I.P. IRON PIPE

I.R. IRON ROD

VOL. VOLUME

PG. PAGE

EXHIBIT D



Line Table		
Line #	Direction	Length
L1	N22° 59' 19"W	225.66'
L2	N19° 31' 43"E	237.23'
L3	S19° 31' 43"W	218.81'

Curve Table					
Curve #	Arc Length	Radius	Delta	Chord Bearing	Chord Distance
C1	78.42'	1,860.00	2°24'56"	N21° 46' 51"W	78.41'
C2	49.74'	30.00	95°00'00"	N24° 30' 41"E	44.24'
C3	324.76'	472.48	39°22'55"	N89° 47' 18"E	318.40'

**EXHIBIT OF
4.000 ACRES
DRILL SITE
IN THE
H.T. & B.R.R. COMPANY SURVEY, SEC. 64
(A.K.A.) MARY V. O'DONNELL SURVEY, A-483
BRAZORIA COUNTY, TEXAS**

NOTES:

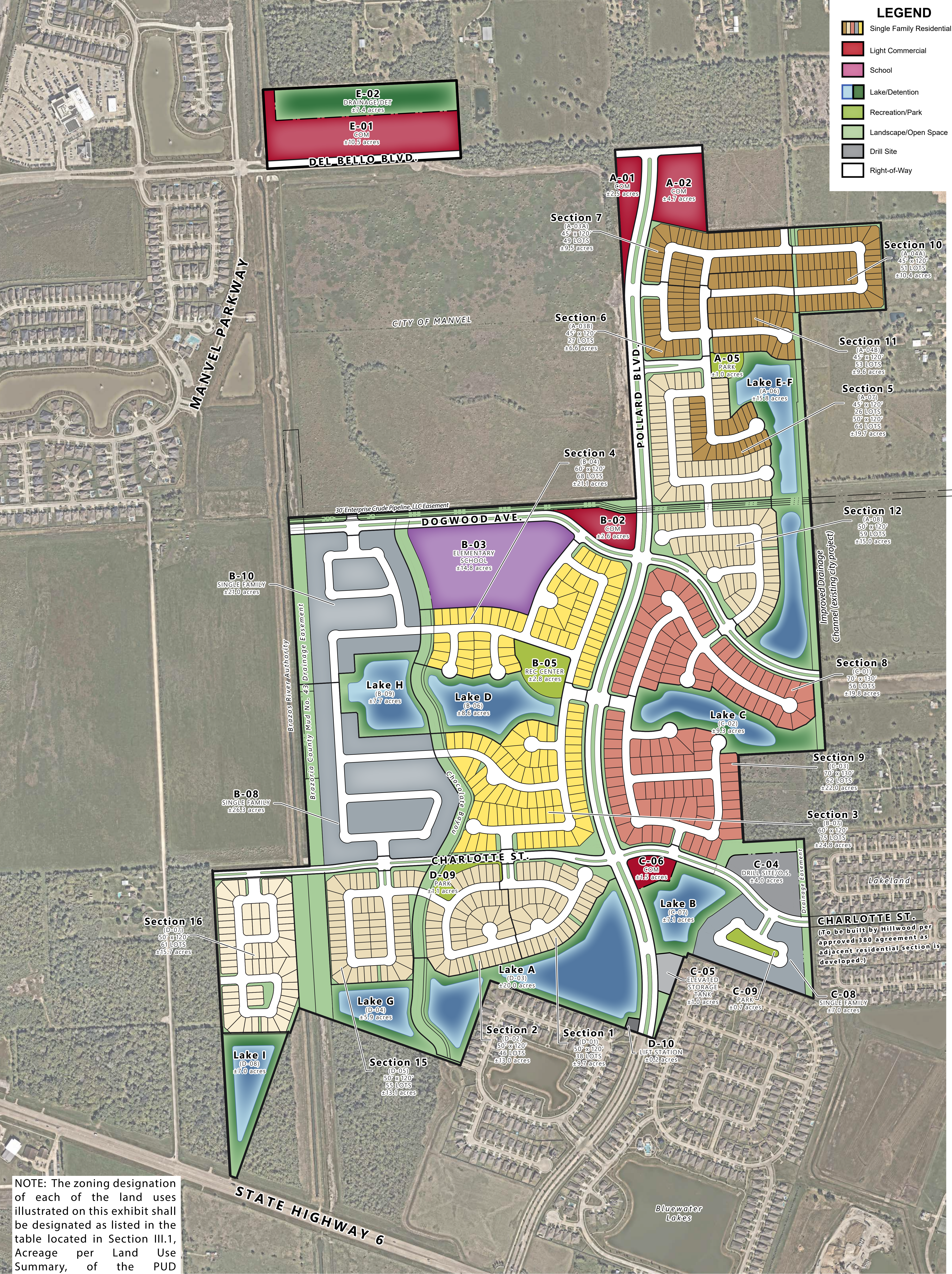
- ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83, 1993 ADJ.
- CORNER MONUMENTS WERE NOT SET AT THE CLIENT'S REQUEST.

AUGUST 2021 JOB NO. LJA001-2791-2104

LJA Surveying, Inc.

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

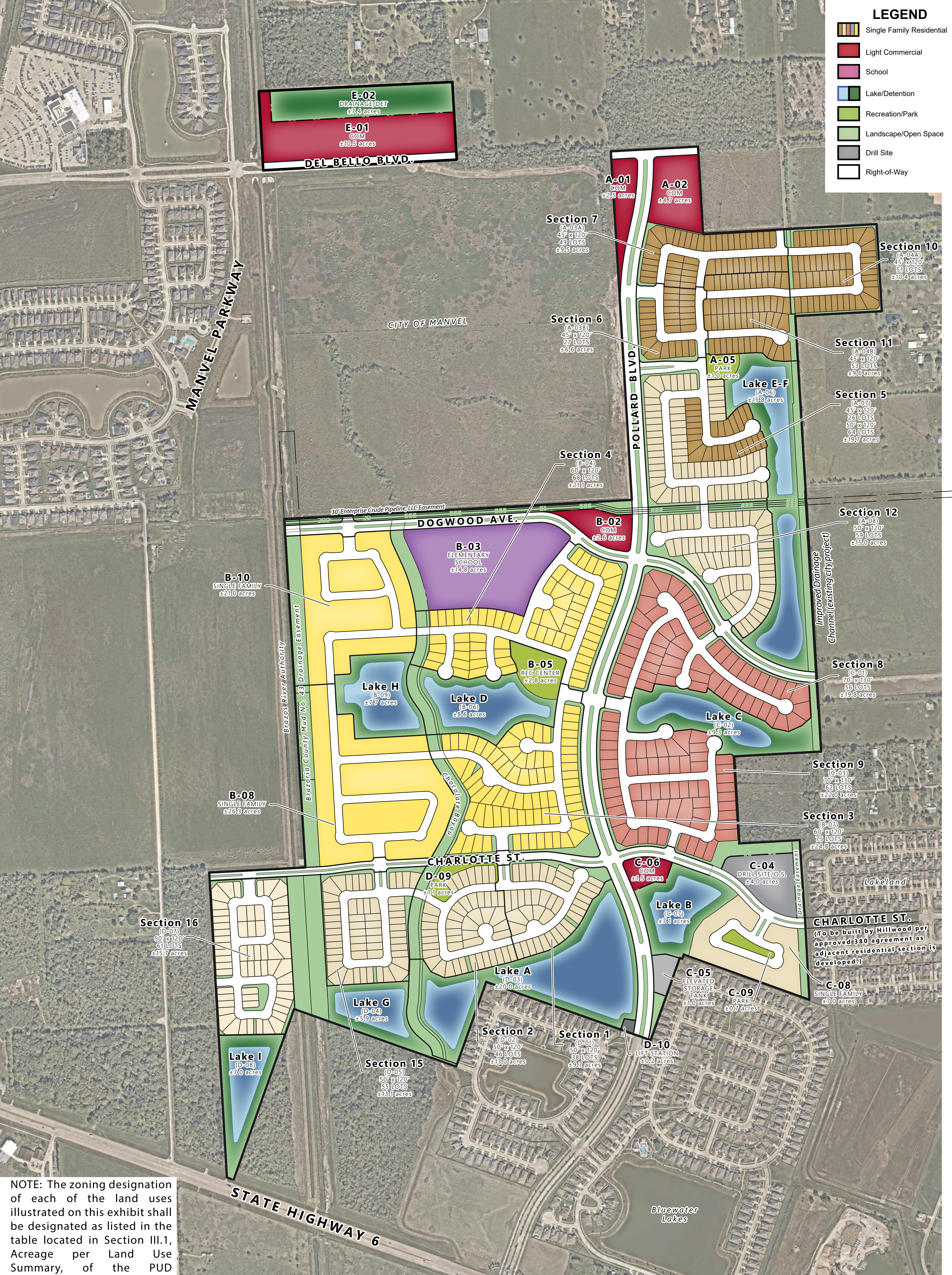




Prepared for
**HILLWOOD
RESIDENTIAL**

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

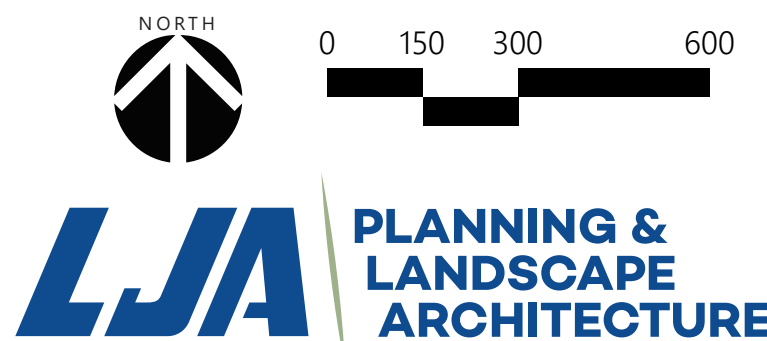
Reference Date: 02.27.2024



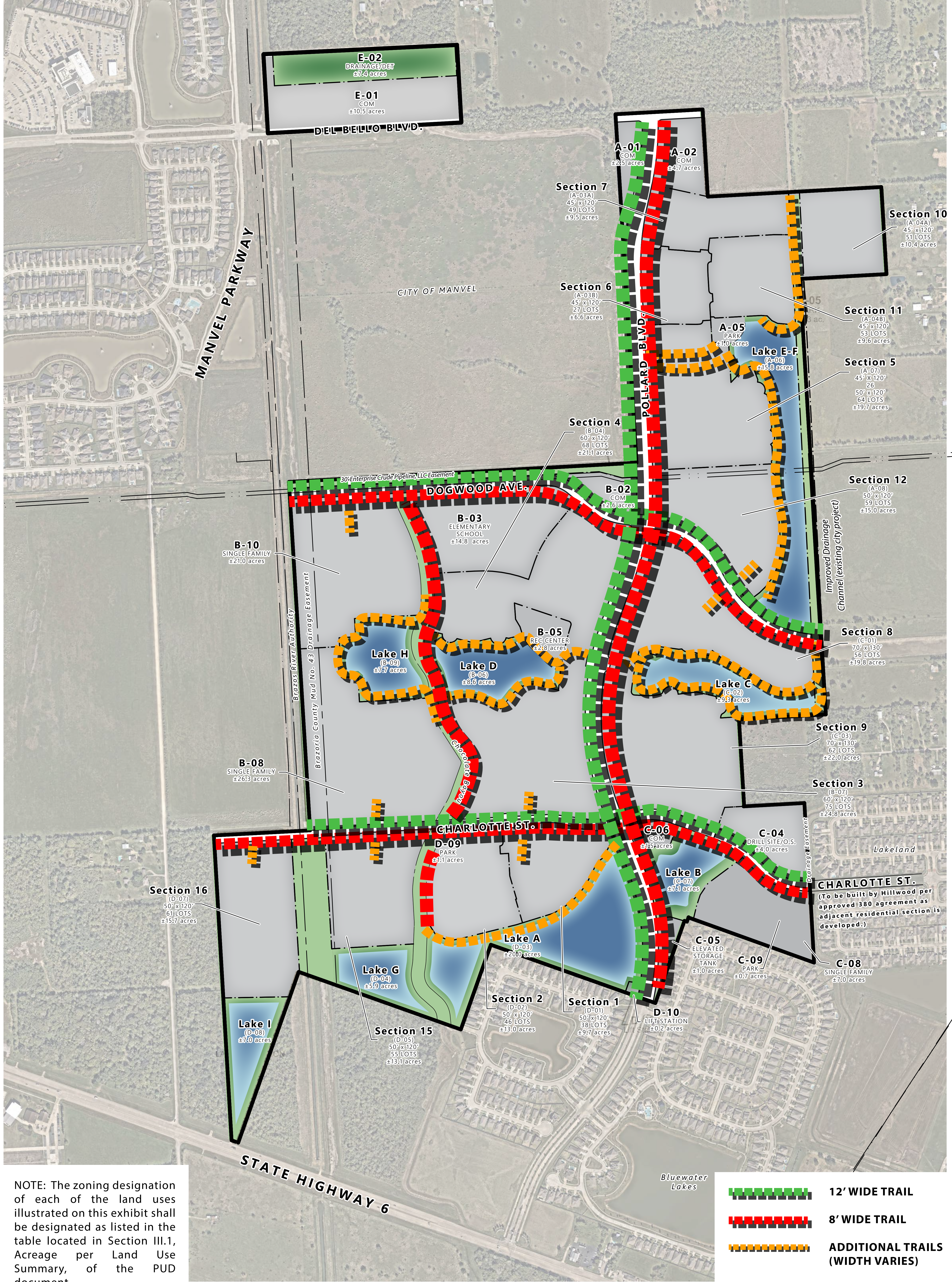
Prepared for
**HILLWOOD
RESIDENTIAL**

EXHIBIT F
Planned Unit Development
Single Family Residential Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas

Reference Date: 02.27.2024



RELATIONSHIPS | PROCESS | DESIGN



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 H
Planned Unit Development
Conceptual Amenities and Open Space Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas

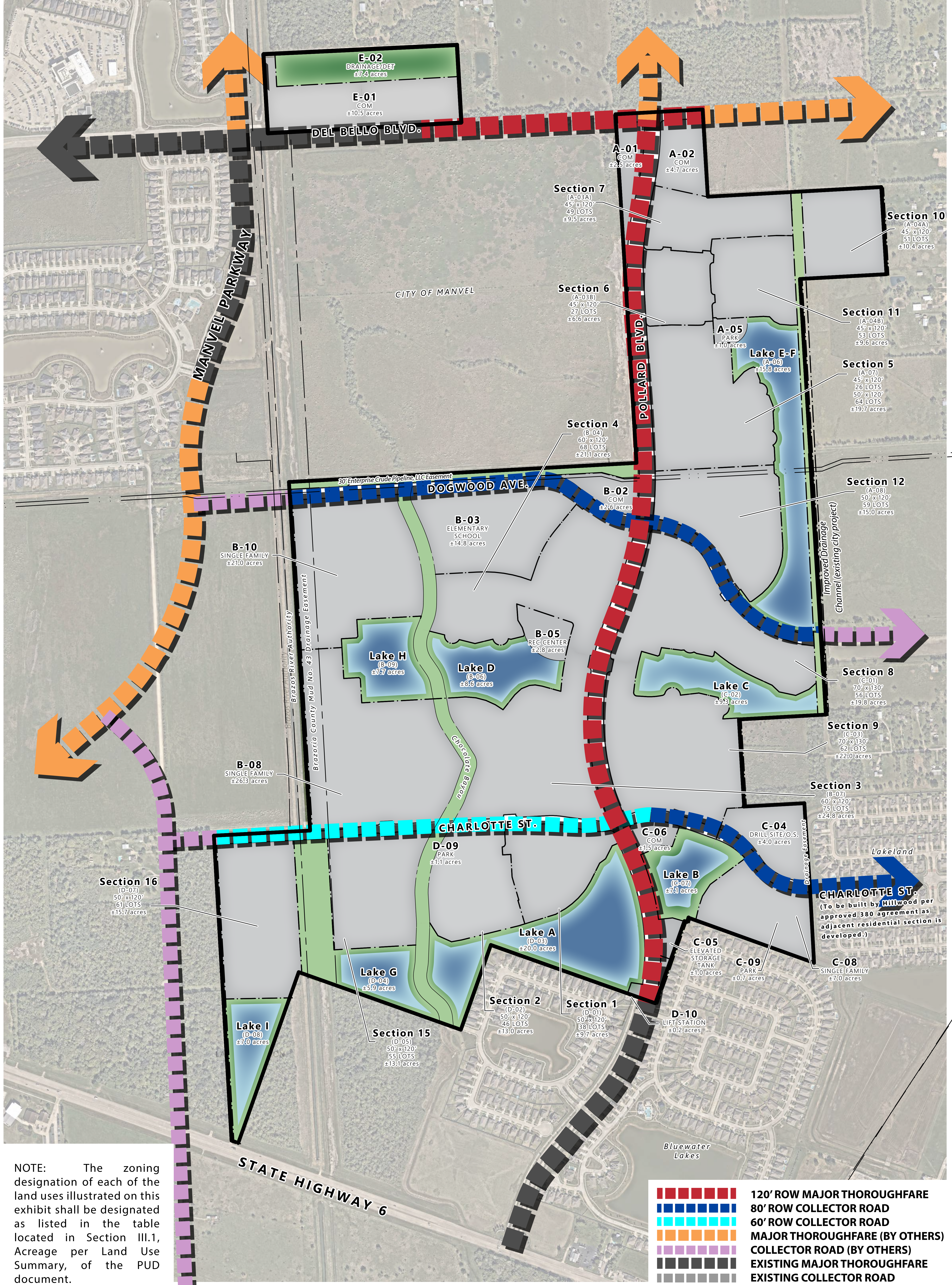
Reference Date: 02.27.2024



LJA **PLANNING & LANDSCAPE ARCHITECTURE**

RELATIONSHIPS | PROCESS | DESIGN

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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**

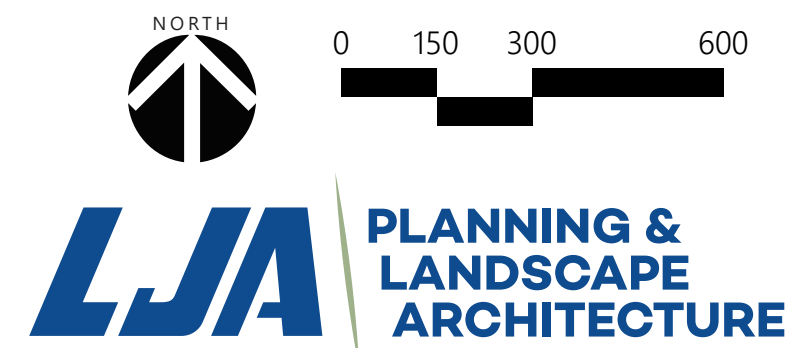
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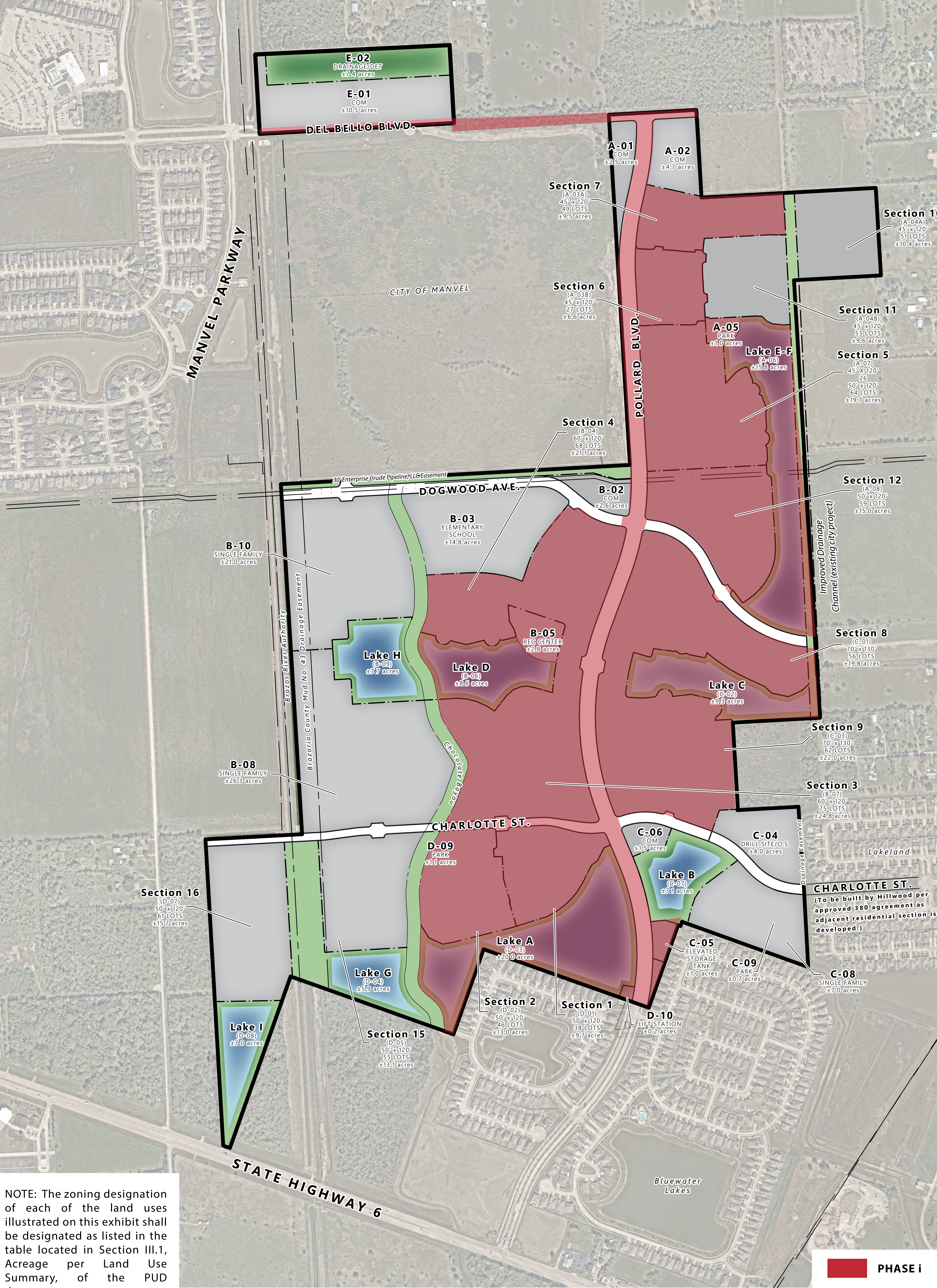
EXHIBIT G

Planned Unit Development
Conceptual Roadway Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas

Reference Date: 02.27.2024



RELATIONSHIPS | PROCESS | DESIGN



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**

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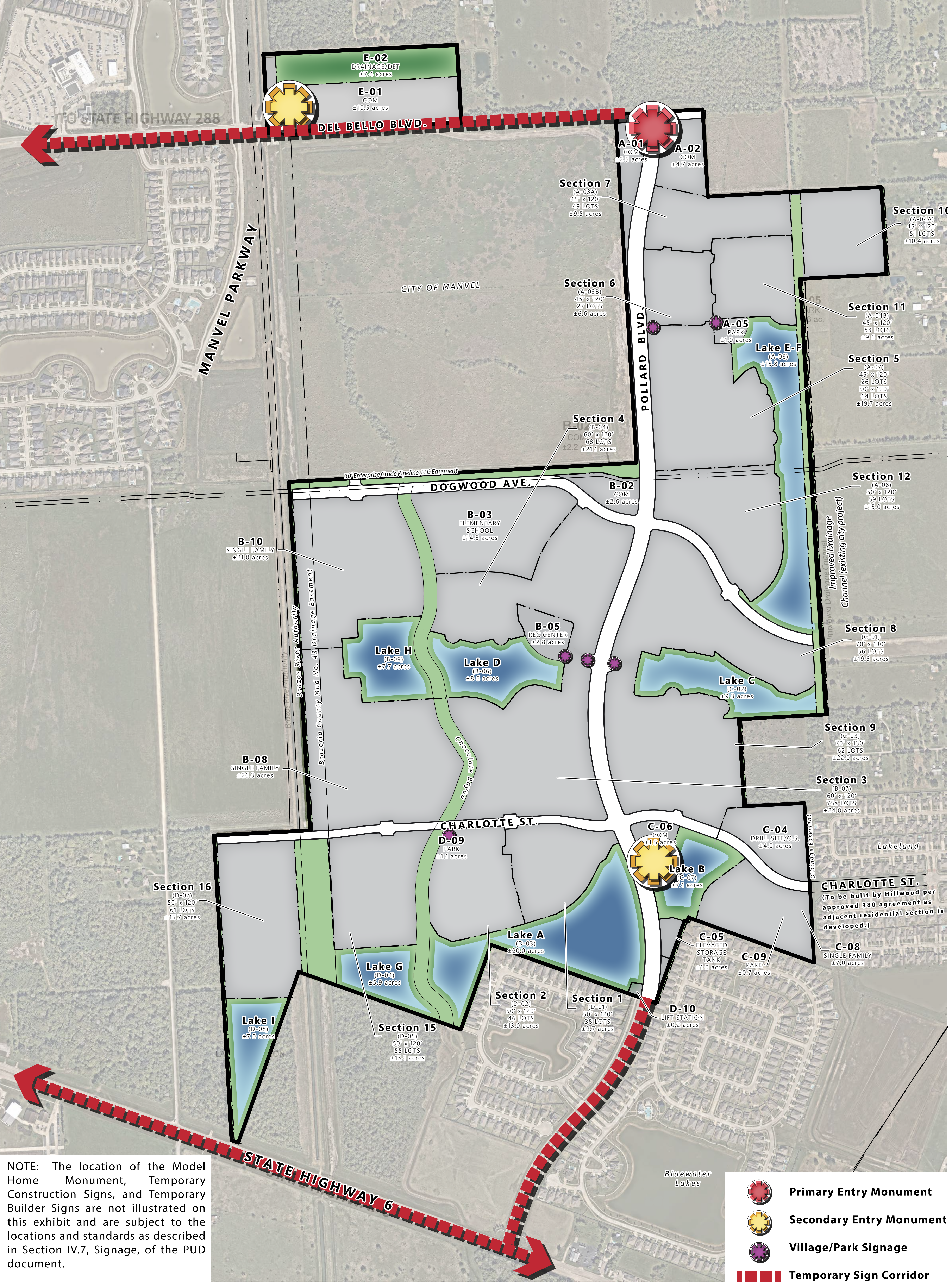
EXHIBIT I

Planned Unit Development
Phasing Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas

Reference Date: 02.27.2024



RELATIONSHIPS | PROCESS | DESIGN



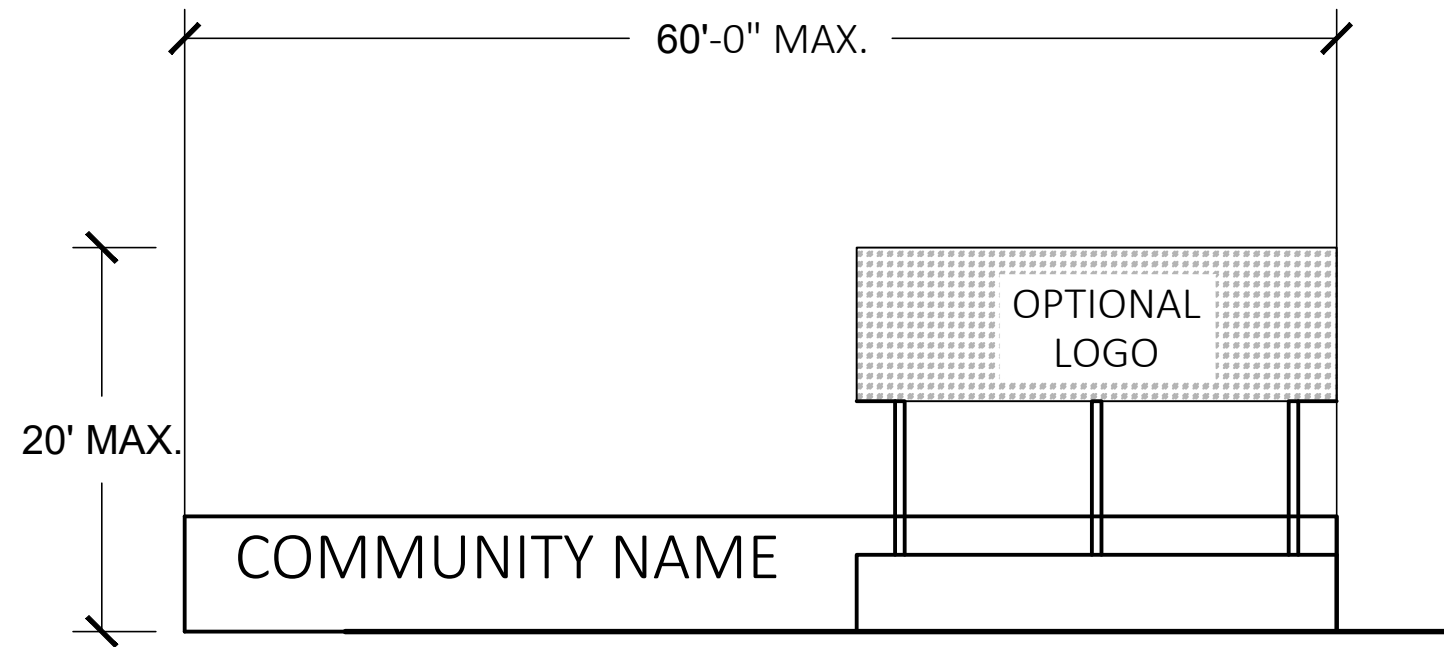
NOTE: The location of the Model Home Monument, Temporary Construction Signs, and Temporary Builder Signs are not illustrated on this exhibit and are subject to the locations and standards as described in Section IV.7, Signage, of the PUD document.

Prepared for
**HILLWOOD
RESIDENTIAL**

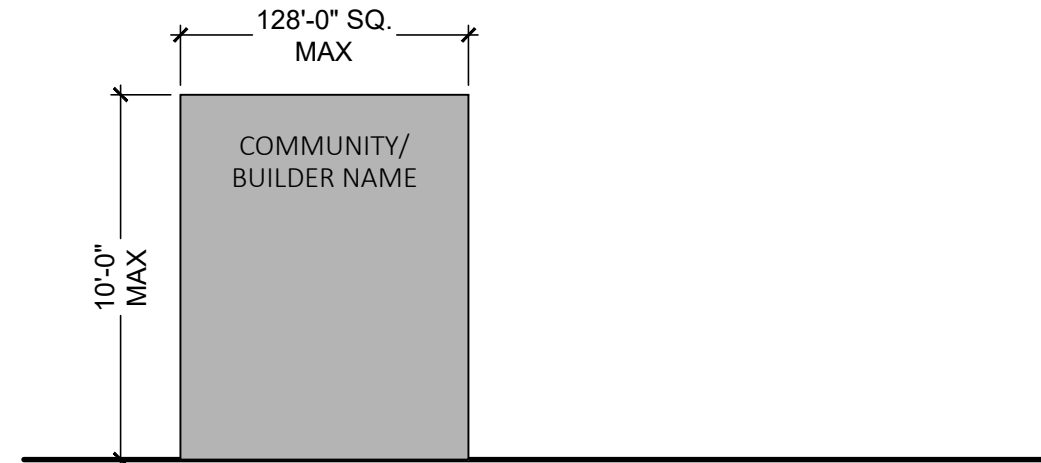
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EXHIBIT J

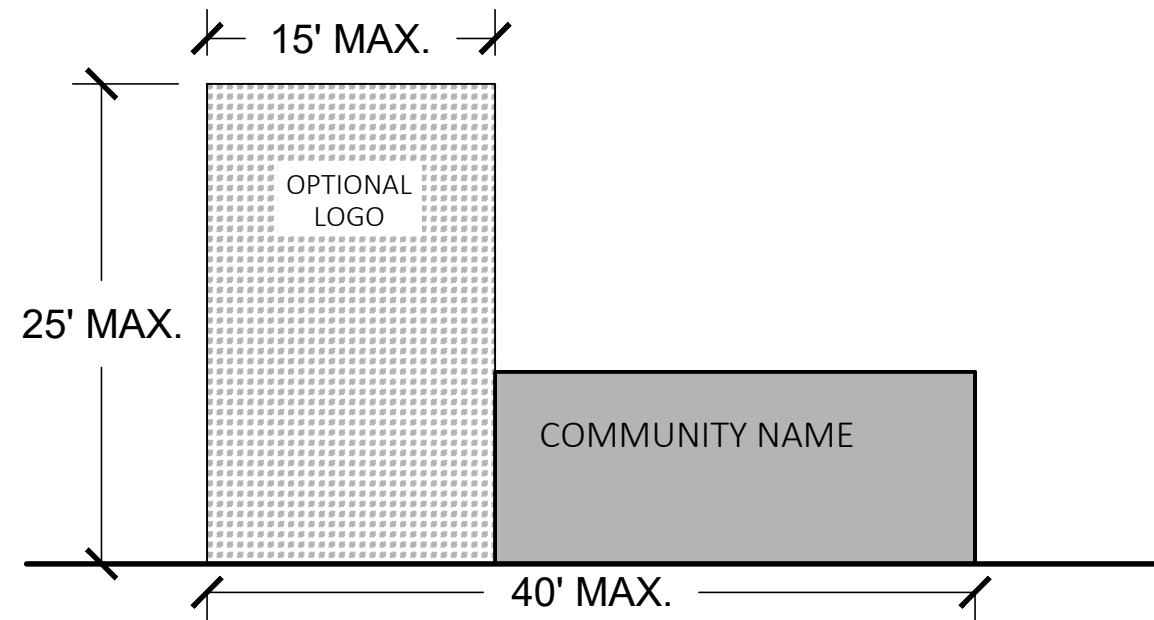
Planned Unit Development
Conceptual Project Signage Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas



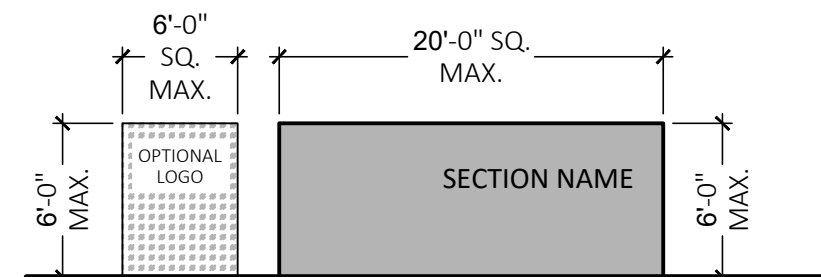
PRIMARY ENTRY MONUMENTS



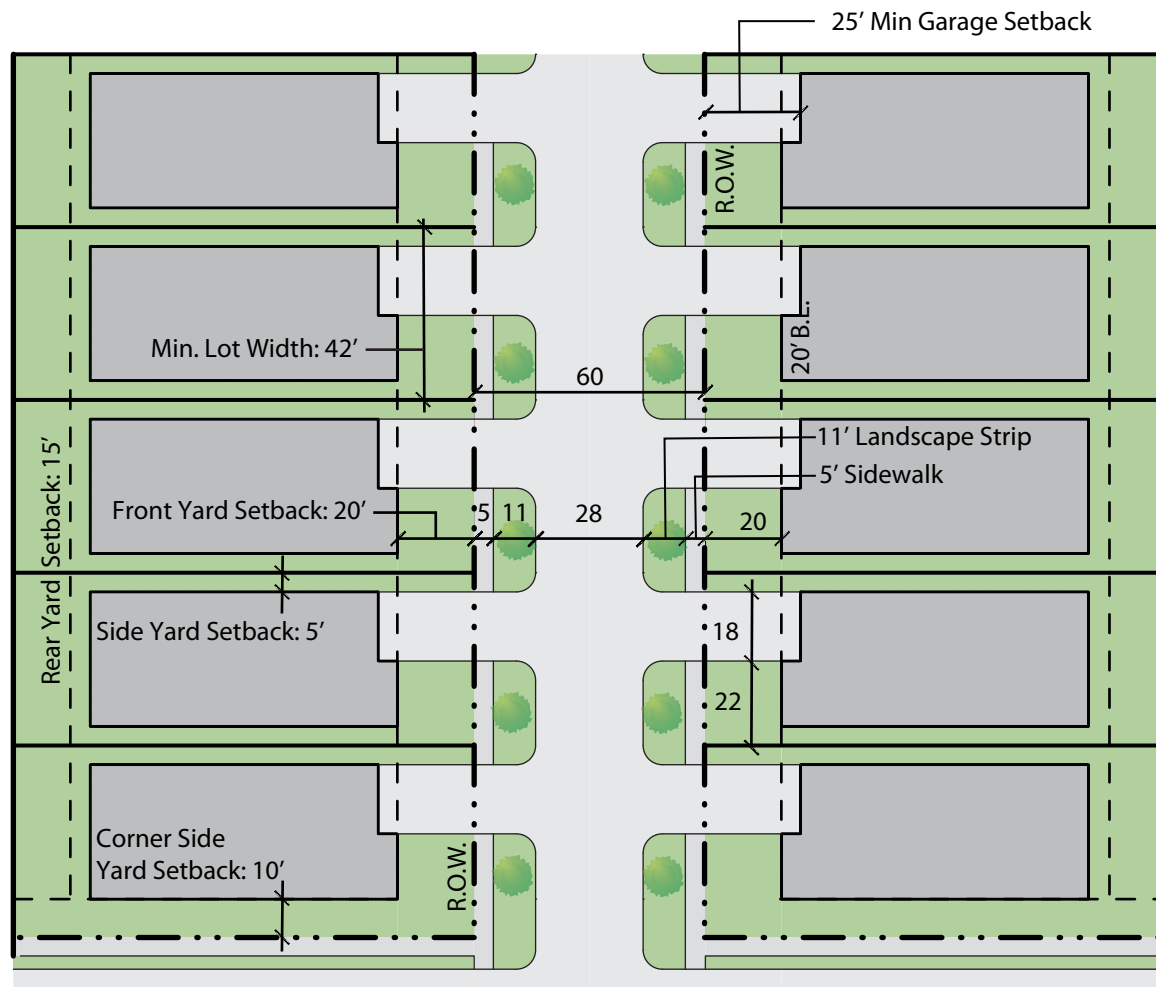
TEMPORARY COMMUNITY SIGNAGE



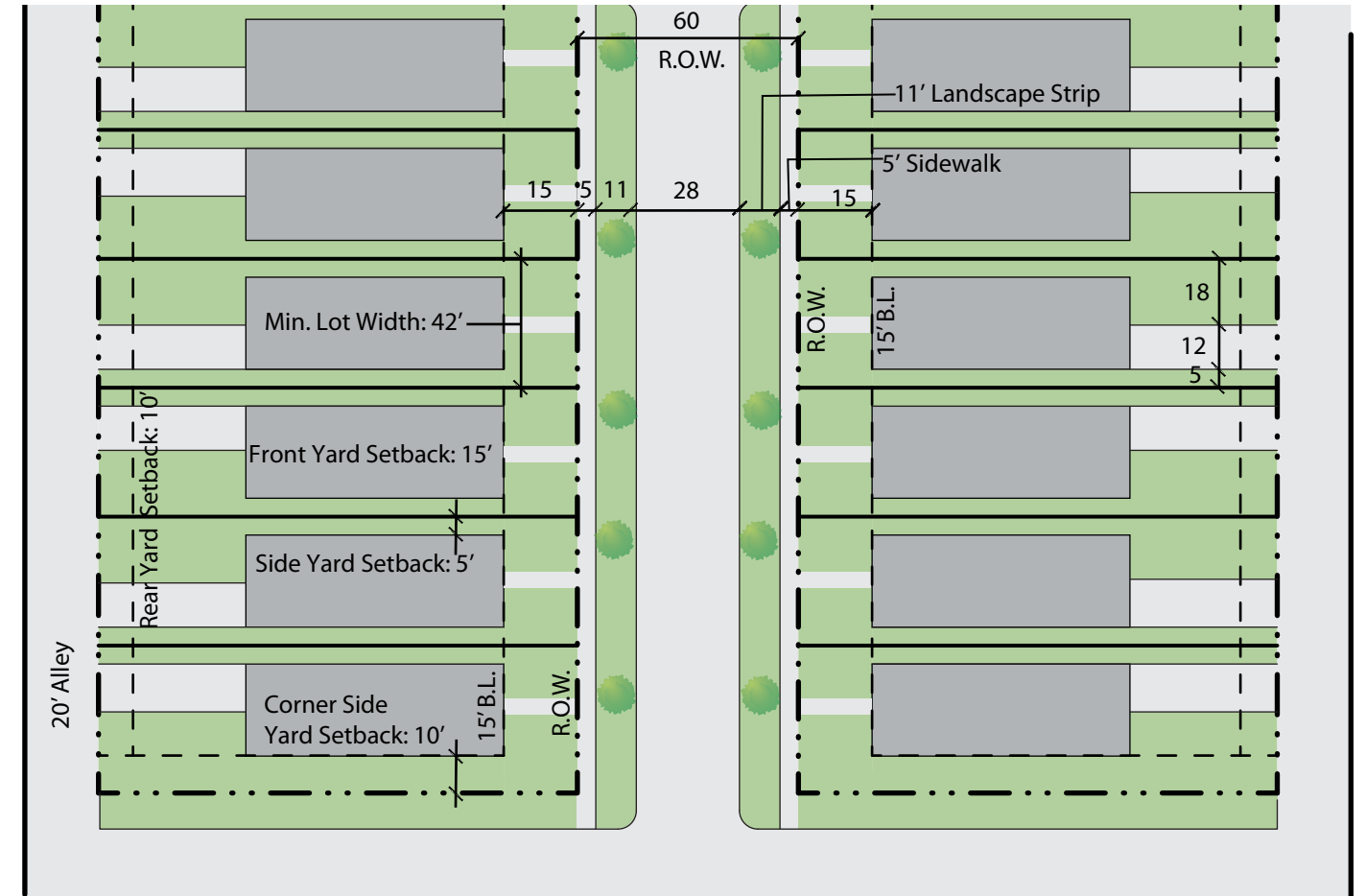
SECONDARY ENTRY MONUMENTS



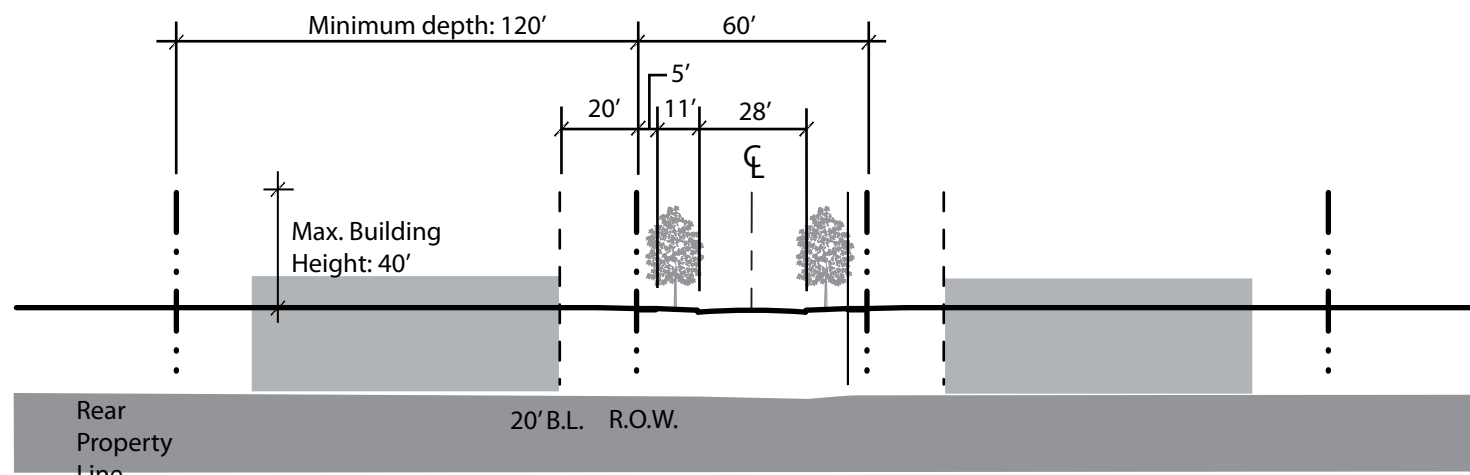
VILLAGE/PARK ENTRY MONUMENTS



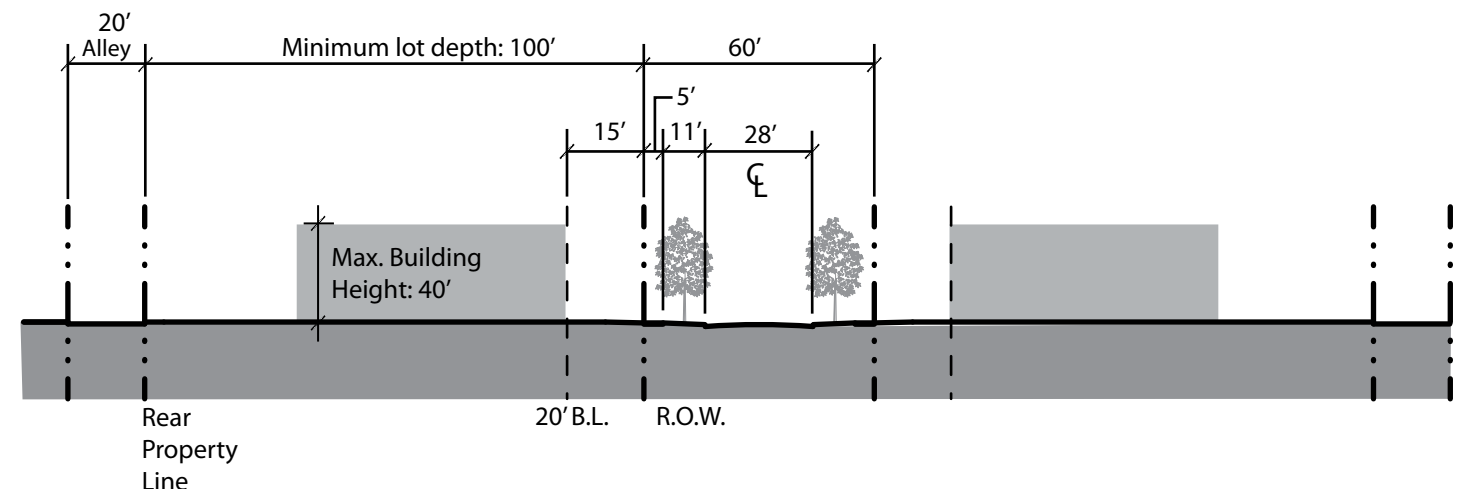
1. Plan Front Load 42' Product - 60' R.O.W.



2. Plan 35' Alley Product - 60' R.O.W.



1. Section Front Load 42' Product - 60' R.O.W.



2. Section 35' Alley Product - 60' R.O.W.

Prepared for

HILLWOOD RESIDENTIAL

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EXHIBIT L Planned Unit Development Specialty Product Exhibits for Front Load and Alley Products

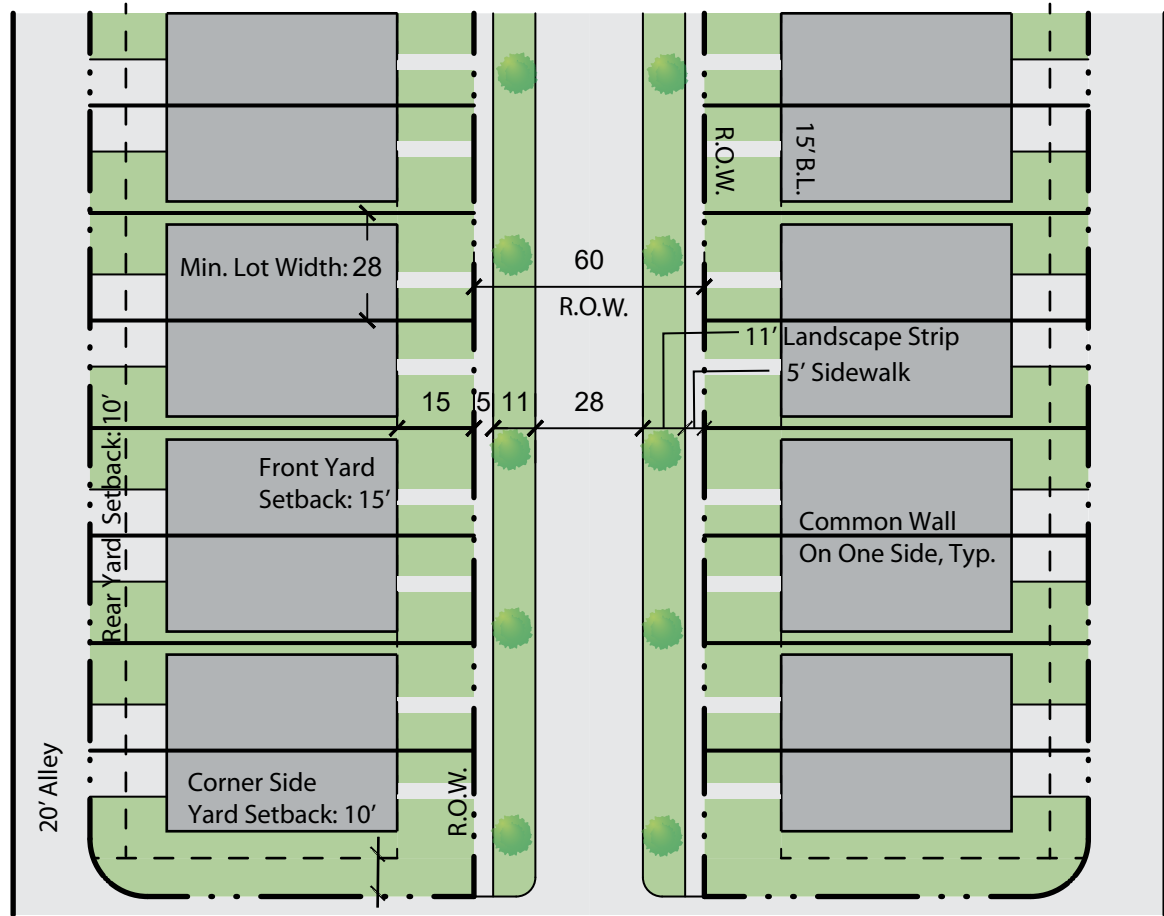
VALENCIA

±458.4 Acres of Land
Manvel, Texas

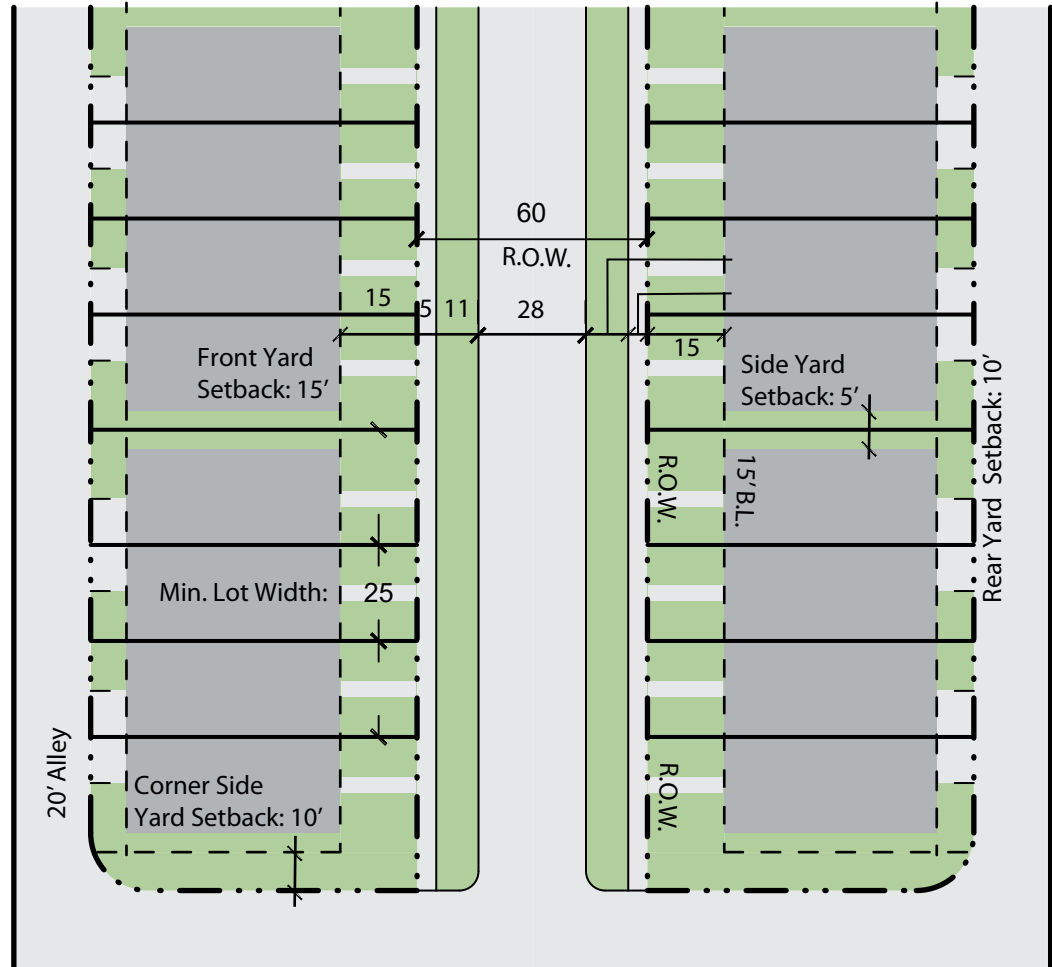
Reference Date: 02.27.2024



RELATIONSHIPS | PROCESS | DESIGN

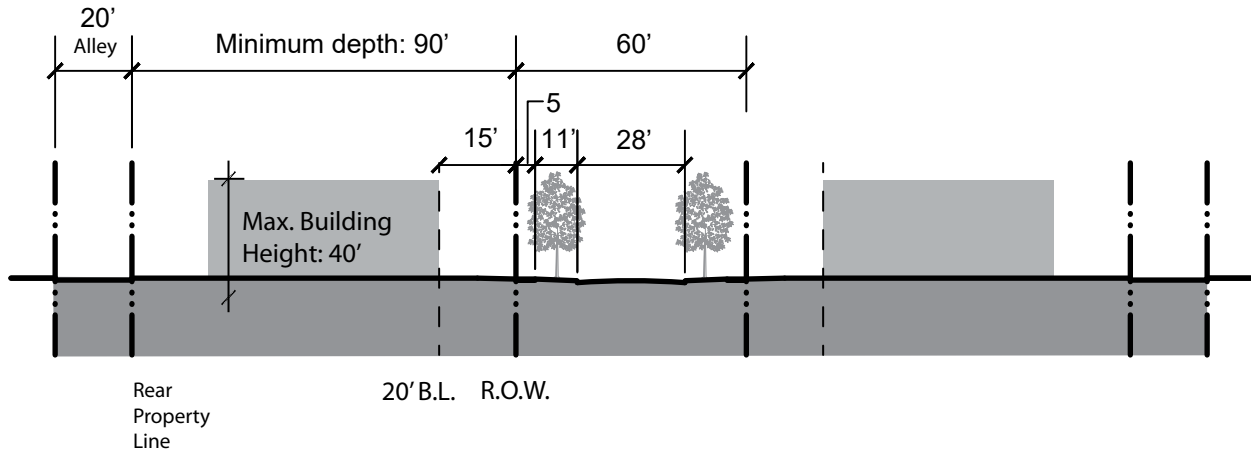


3. Plan: Rear Load 28' Attached Product - 60' R.O.W.

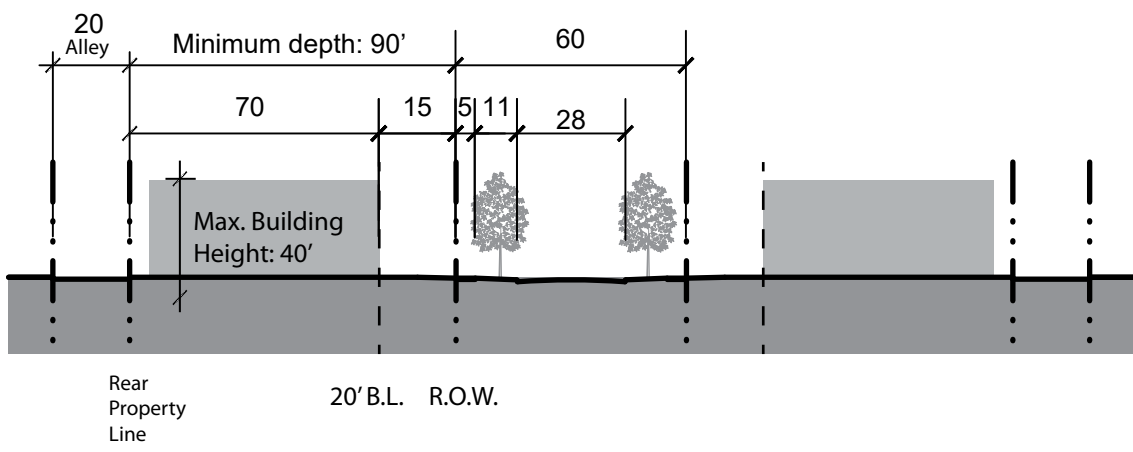


4. Plan: Rear Load 25' Townhome Product - 60' R.O.W.

Note:
 Max. Number of Attached Units: 5
 Min. Number of Attached Units: 2



3 Section: Rear Load 28' Attached Product - 60' R.O.W.



4. Section: Rear Load 25' Townhome Product - 60' R.O.W.

Prepared for

HILLWOOD RESIDENTIAL

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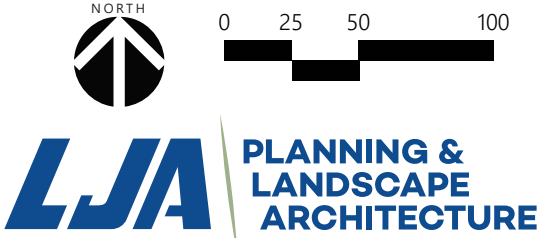
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EXHIBIT M Planned Unit Development Specialty Product Exhibits for Rear Load Attached and Townhome Products

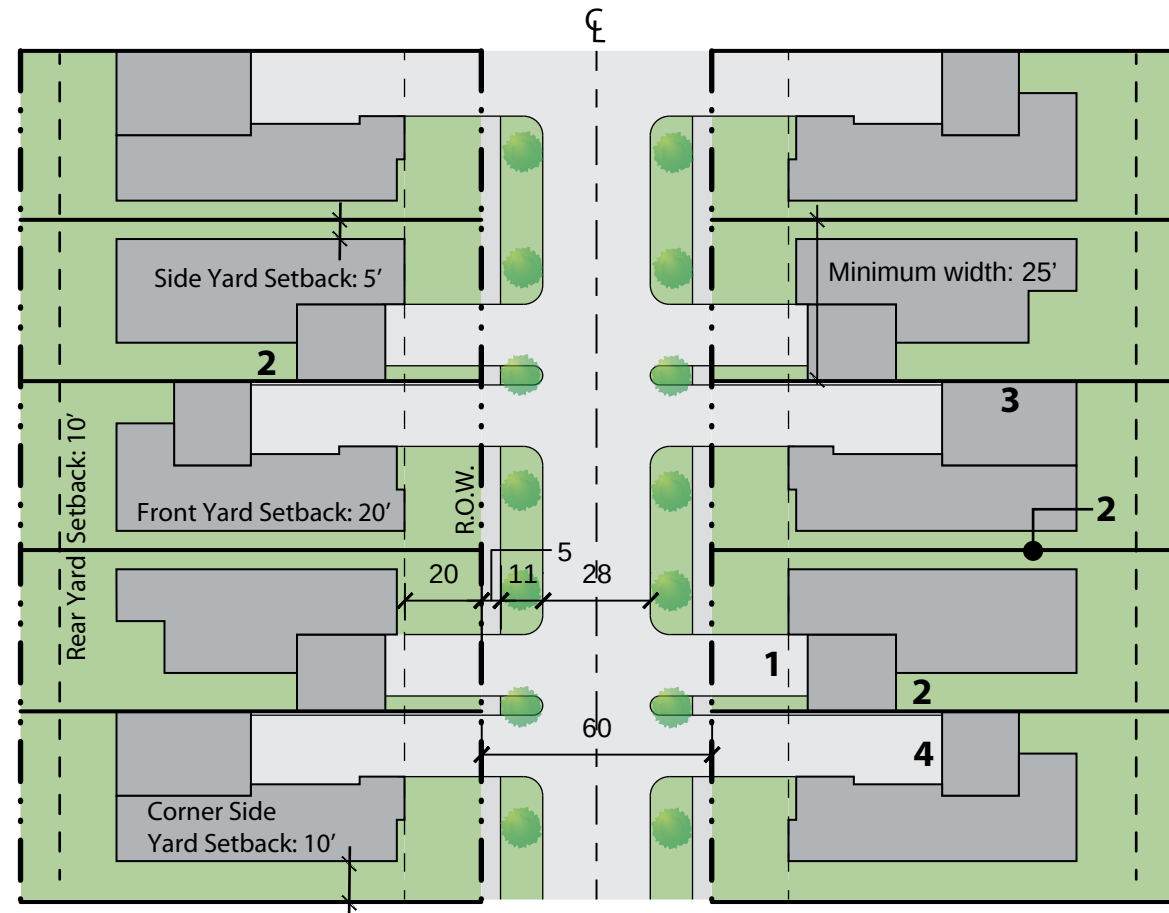
VALENCIA

±458.4 Acres of Land
 Manvel, Texas

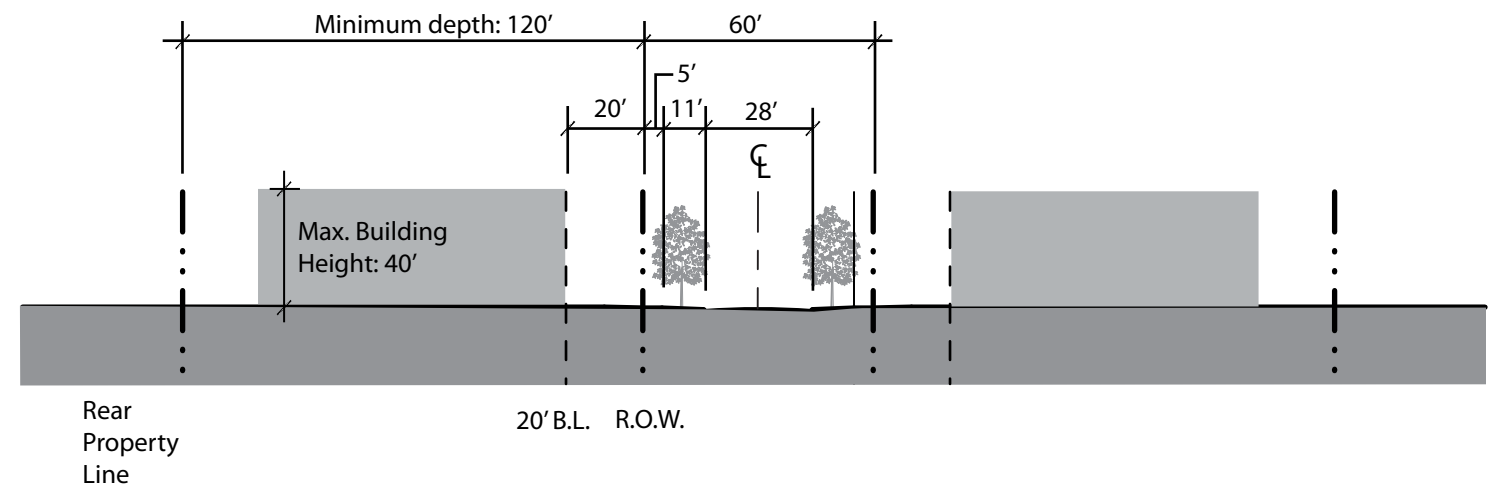
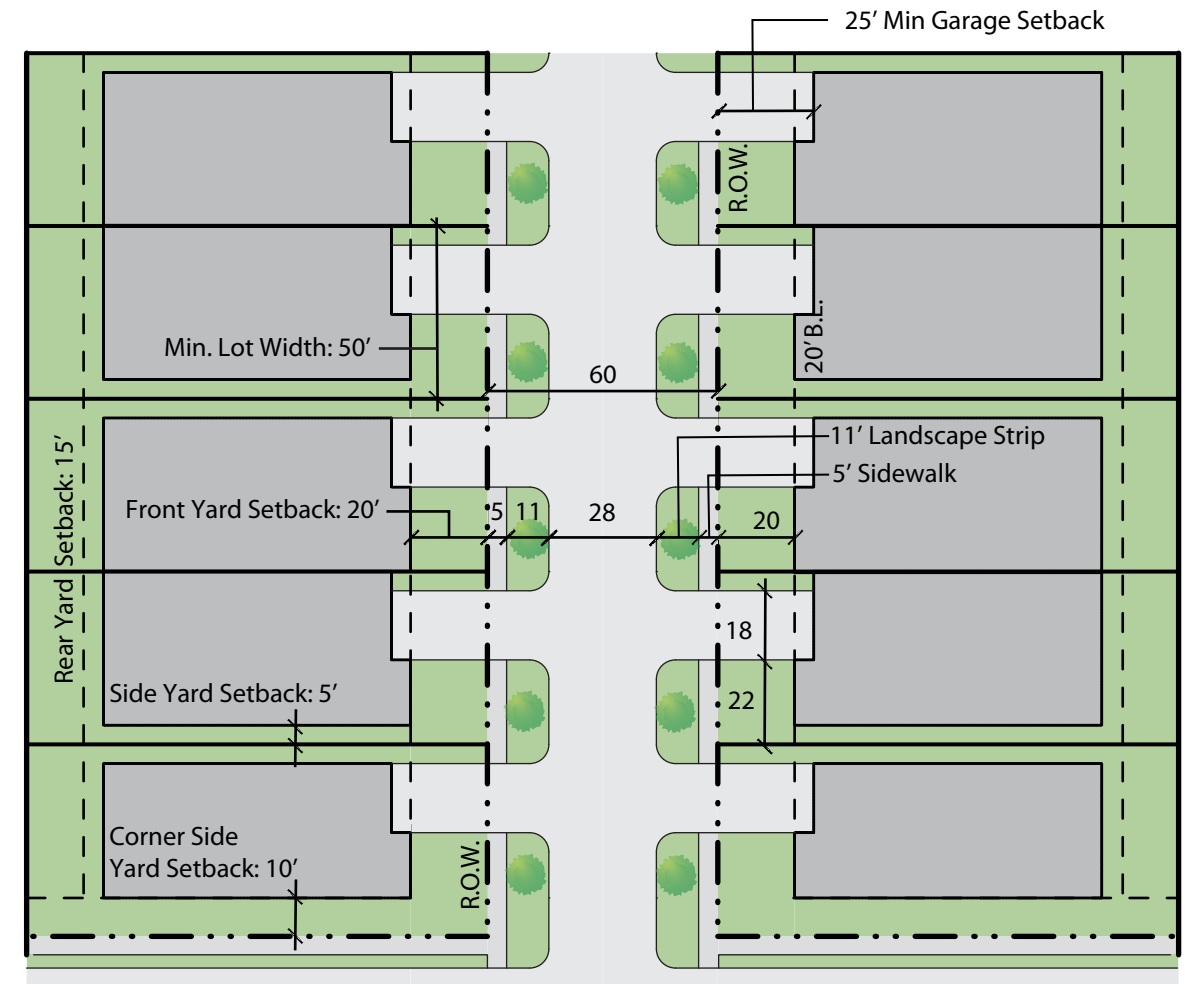
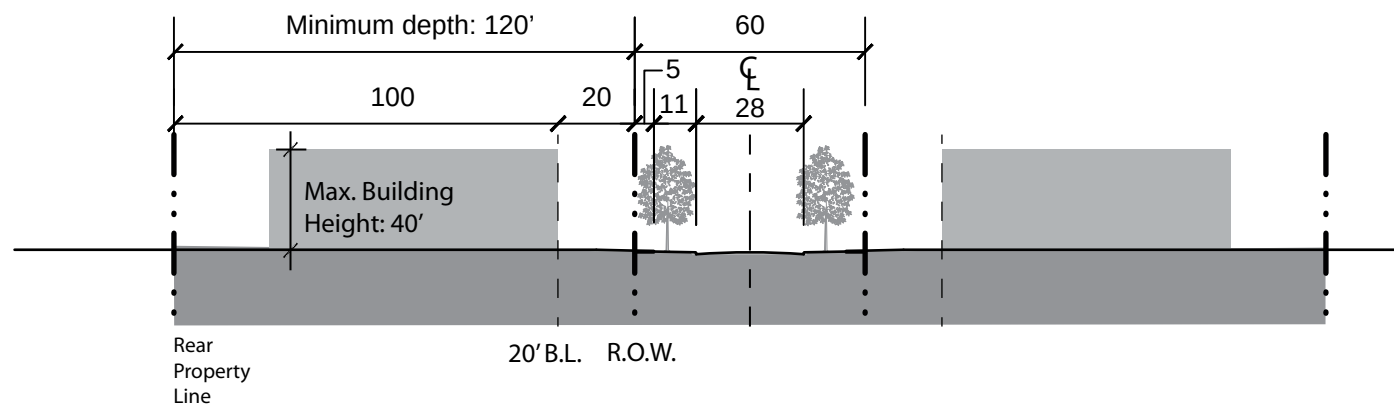
Reference Date: 02.27.2024



RELATIONSHIPS | PROCESS | DESIGN



1. 25' Min Garage Setback
2. 10' Min. Building separation
3. Zero Lot line at garage, typ.
4. 50' Setback



Prepared for

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EXHIBIT N

Planned Unit Development

Specialty Product Exhibits for Zipper Lot and Patio/Zero Lot Line Products

VALENCIA

±458.4 Acres of Land
Manvel, Texas

6. Plan: Patio & Zero Lot Line Product - 60' R.O.W.

6. Section: Patio & Zero Lot Line Product - 60' R.O.W.

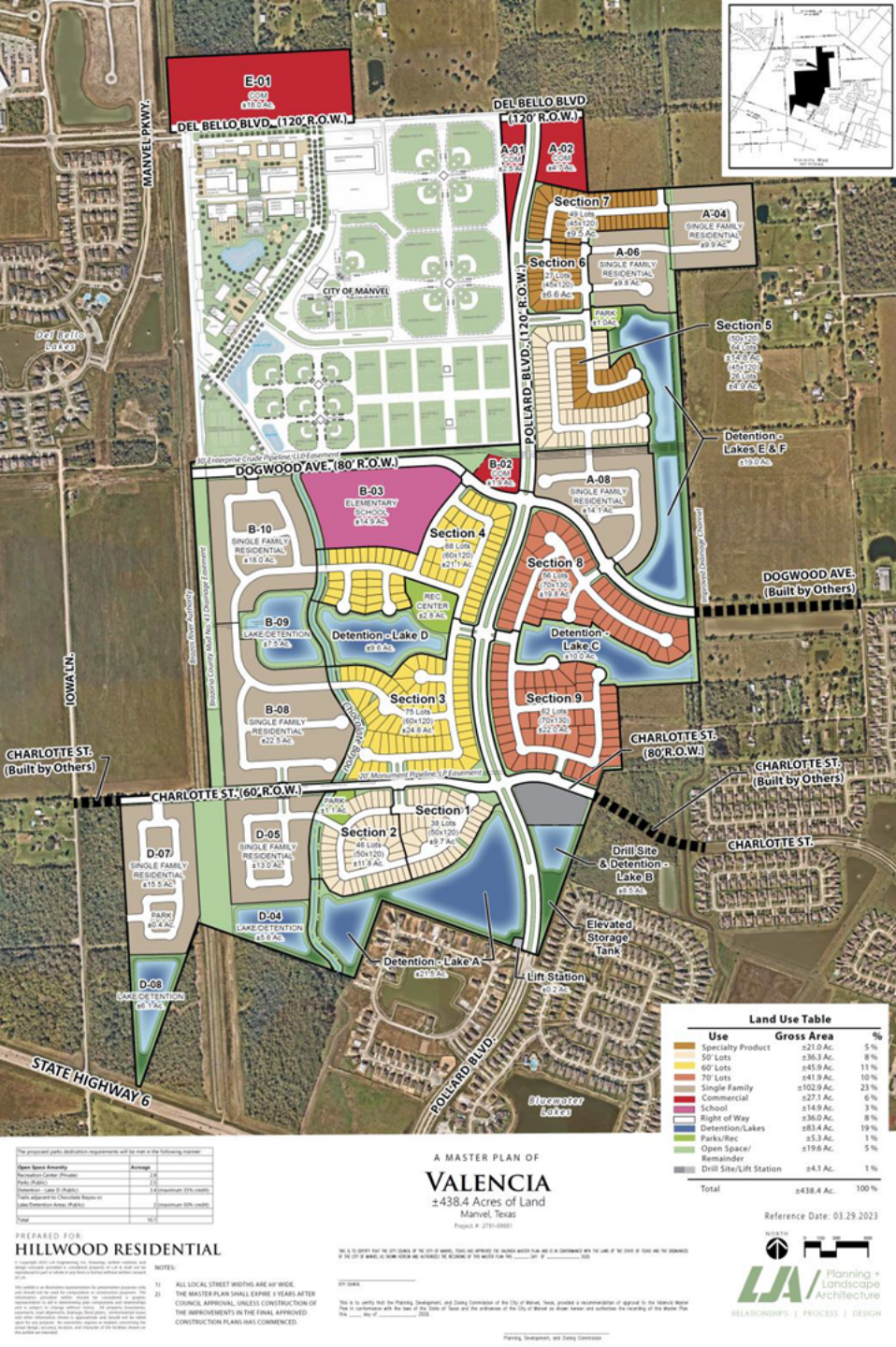
Reference Date: 02.27.2024



RELATIONSHIPS | PROCESS | DESIGN

Valencia PUD - Development

Existing Development



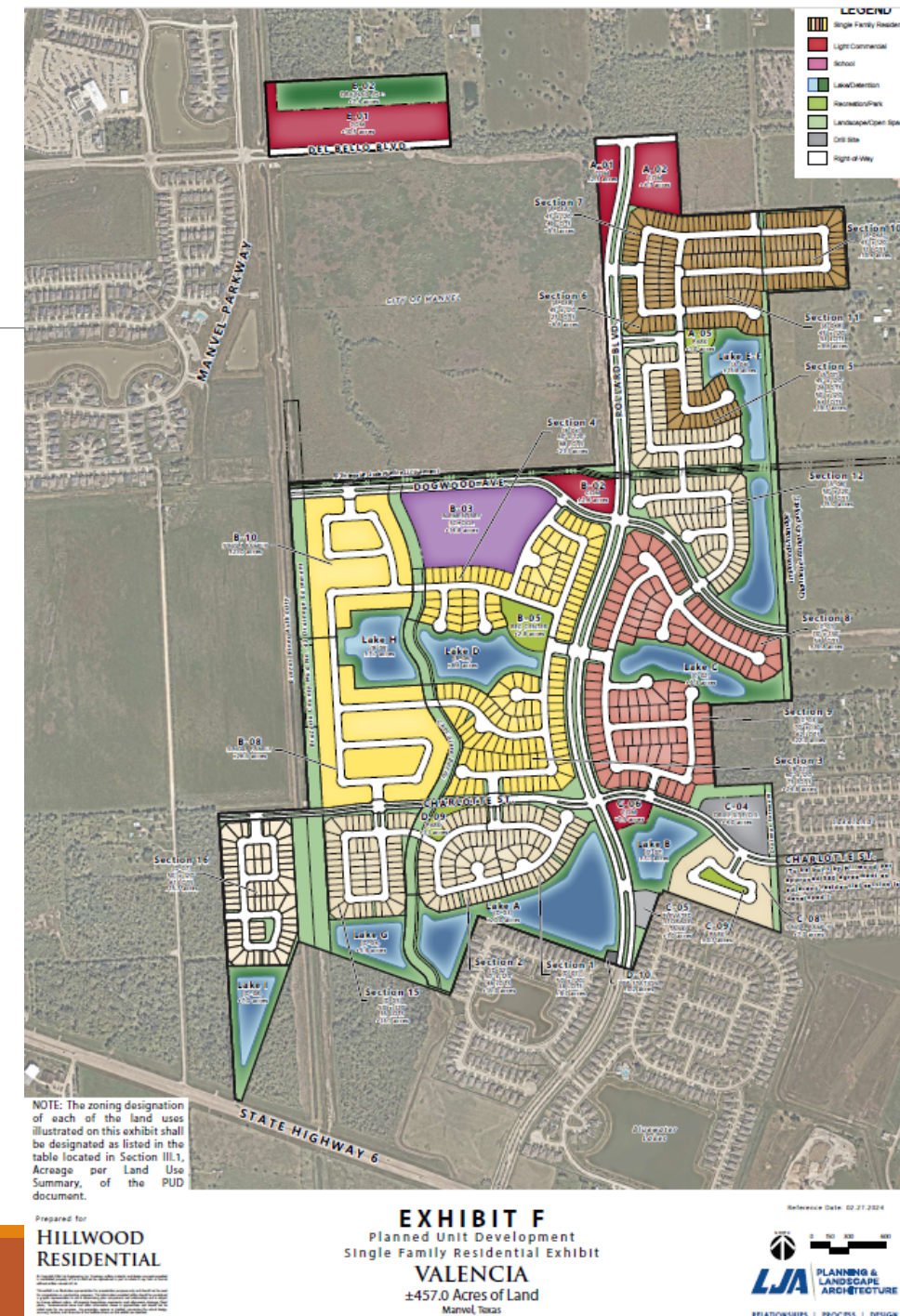
Valencia PUD – Proposed

Proposed Substantial Changes.

- b. Adding an Additional Commercial Tract
- c. Modifications of signage requirements
- d. Single-family Section C-08 and Boulevard Entrance
 - 1. adding acreage.
- e. Charlotte Roadway Expansion
- f. Drill Site/Open Space location.

Minor Changes

- a. Clarification on parkland dedication requirements
- b. Specialty Residential Product and added conceptual standards for zero lot line and zipper lot homes.



PD&Z Recommendation

PD&Z recommends approval (4-1-0 Vote) of Ordinance No. 2024-O-12 as the proposed amendments to the Valencia Planned Unit Development (PUD) are following the goals of the City and will be a majority of single-family detached residences.

RESOLUTION NO. 2024-R-12

A RESOLUTION BY THE CITY OF MANVEL, TEXAS SUSPENDING THE WATER AND WASTEWATER RATE INCREASES PROPOSED BY UNDINE, LLC. FOR THEIR CUSTOMERS IN THE BRANDI ESTATES SUBDIVISION FOR NINETY (90) DAYS, THE MAXIMUM PERIOD ALLOWED BY LAW; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, Undine, LLC (UNDINE) is the owner of a water and wastewater system in the Brandi Estates subdivision, located within the city limits of the City of Manvel; and

WHEREAS, UNDINE made an application with the Public Utility Commission on March 28, 2024, to increase the water and wastewater rates for its customers located within its system; and

WHEREAS, pursuant to Texas Water Code § 13.187 et seq. the City of Manvel has municipal authority over this rate filing; and

WHEREAS, the City of Manvel can suspend these rate increases for a period of up to ninety (90) days.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, THAT:

Section 1. The rate increases proposed by UNIDINE for water and wastewater rates within their system are hereby suspended for ninety (90) days, the maximum period allowed by Texas Water Code § 13.187(d-1).

Section 2. A copy of this Resolution shall be sent to UNDINE, care of Benny Wilkinson, UNDINE, LLC., 17681 Telge Road, Cypress, Texas 77429, and copy to Jamie Mauldin, Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701 or jmauldin@lglawfirm.com.

Signed this _____ day of _____, 2024.

DAN DAVIS, MAYOR

ATTEST:

Tammy Bell, City Secretary

RESOLUTION NO. 2024-R-13

A RESOLUTION BY THE CITY OF MANVEL, TEXAS SUSPENDING THE MAY 11, 2024 EFFECTIVE DATE OF THE PROPOSAL BY UNIVERSAL NATURAL GAS, LLC D/B/A UNIVERSAL NATURAL GAS, INC. TO IMPLEMENT GRIP INTERIM RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2023 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Manvel, Texas (“City”) is a gas utility customer of Universal Natural Gas, LLC d/b/a Universal Natural Gas, Inc. (“UniGas” or “the Company”) and a regulatory authority with an interest in the rates and charges of UniGas; and

WHEREAS, UniGas made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on March 1, 2024, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by UniGas, effective May 11, 2024; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, THAT:

1. The May 11, 2024 effective date of the GRIP Rate Increases proposed by UniGas is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

2. A copy of this Resolution shall be sent to UniGas, care of Hayley Cunningham at 9950 Woodloch Forst Dr. Suite 2200, Woodlands, Texas 77380 or hayley.cunningham@centric-

[us.com](#), and to Thomas Brocato, legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701 or tbrocato@lglawfirm.com.

Signed this _____ day of _____, 2024.

MAYOR

ATTEST:

City Secretary



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Manvel East Retail Center to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Meridiana 24-A A to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Meridiana Section 24B to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes
CITY MANAGER APPROVAL Yes



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Meridiana Section 5 to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes
CITY MANAGER APPROVAL Yes

The Definitive Guide to Special Districts

TIFs, PIDs, MMDS, MUDs, WCIDS, FWSDs and hybrid districts

UT

The University of Texas School of Law

March 22, 2012

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817-405-9936
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SVLO

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SVLO 25673

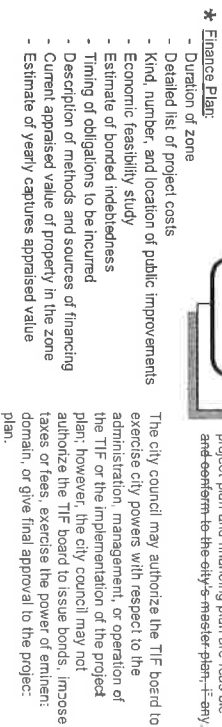
Tax Increment Reinvestment Zones

Chapter 311, Texas Tax Code

Tax Increment Reinvestment Zone

- Geographic area designated by a city pursuant to the Chapter 311 public hearing process (greatly simplified by HB 2853) [a legislative, discretionary process].
- Establishes a base year (January 1 of the year the zone is created) for ad valorem and sales tax revenues within the zone.
- City (and other taxing units that elect to participate) deposits into a tax increment fund all or a portion of the incremental increases in ad valorem and sales tax revenues that result from development within the zone.
- Money in the tax increment fund is used to pay project costs (historically for public infrastructure), including make “380” economic development grants (new since 2005).

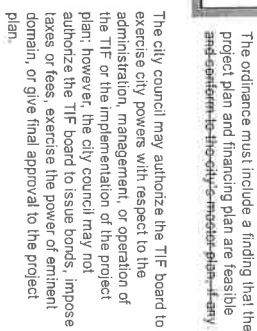
A taxing unit is not required to pay a tax increment after three years from the date the zone is created unless ... within the three-year period: (1) bonds have been issued for the zone; (2) the city has acquired property in the zone pursuant to the project plan; or (3) construction of improvements pursuant to the project plan has begun.



- Map of existing uses and conditions
- Map of proposed improvements
- Proposed changes to zoning, master plan, etc.
- List estimated non-project costs
- Method for relocating displaced persons

*** AS CONSISTENT AS POSSIBLE WITH THE PRELIMINARY FINANCE PLAN**

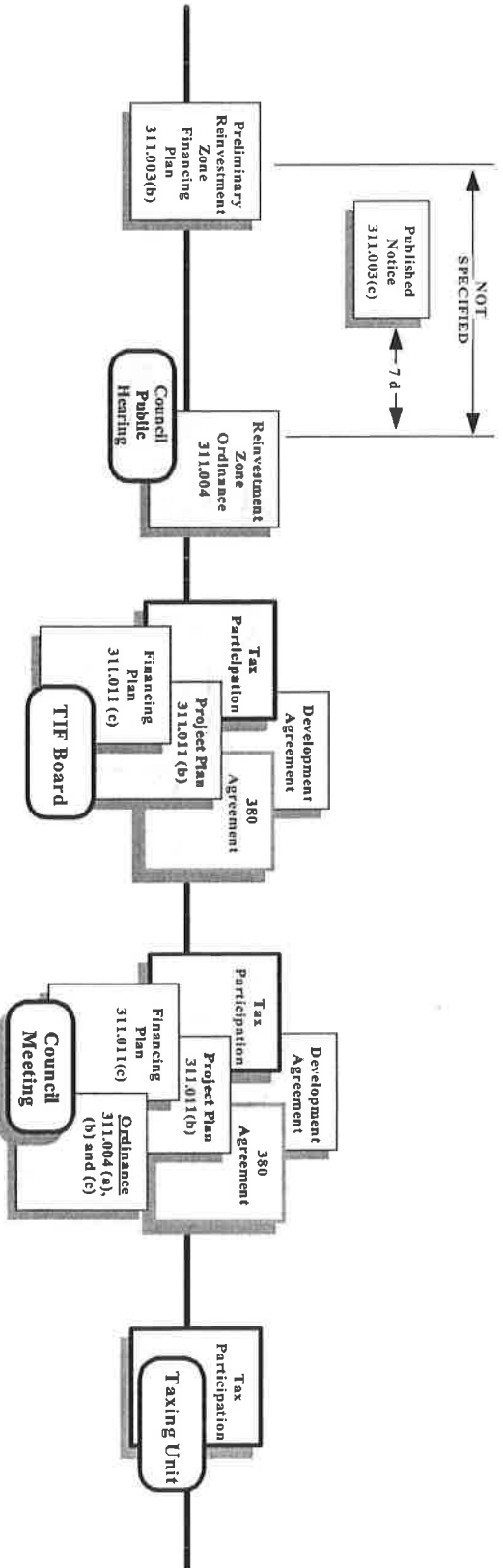
A taxing unit is not required to pay a 1% increment after three years from the date the zone is created unless ... within the three-year period: (1) bonds have been issued for the zone; (2) the city has acquired property in the zone pursuant to the project plan; or (3) construction of improvements pursuant to the project plan has begun.



- Map of existing uses and conditions
- Map of proposed improvements
- Proposed changes to zoning, master plan, etc.
- List estimated non-project costs
- Method for relocating displaced persons

~~* AS CONSISTENT AS POSSIBLE WITH THE PRELIMINARY FINANCE PLAN~~

TIRZ Creation Timeline (post HB 2853)



Tax Code Section 311.010(h) – Economic Development Grants

(h) Subject to the approval of the governing body of the municipality or county that designated ~~[erated]~~ the zone, the board of directors of a reinvestment zone, as necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes, may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the zone, eliminating unemployment and underemployment in the zone, and developing or expanding transportation, business, and commercial activity in the zone, including programs to make grants and loans from the tax increment fund of the zone in an aggregate amount not to exceed the amount of the tax increment produced by the municipality and paid into the tax increment fund for the zone for activities that benefit the zone and stimulate business and commercial activity in the zone. For purposes of this subsection, on approval of the municipality or county, the board of directors of the zone has all the powers of a municipality under Chapter 380, Local Government Code. The approval required by this subsection may be granted in an ordinance, in the case of a zone designated by a municipality, or in an order, in the case of a zone designated by a county, approving a project plan or reinvestment zone financing plan or approving an amendment to a project plan or reinvestment zone financing plan.

Tax Code Section 311.002(1) – Project Costs

H. 3, No. 2503

1 AN ACT
2 relating to tax abatement financing.
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
4 SECTION 1. Section 311.002(1), Tax Code, is amended to read
5 as follows:
6 (1) "Project costs" means the expenditures made or
7 estimated to be made and monetary obligations incurred or estimated
8 to be incurred by the municipality or county designating
9 ~~(establishing)~~ a reinvestment zone that are listed in the project
10 plan as costs of public works, ~~the~~ public improvements, programs,
11 or other projects benefiting ~~the~~ the zone, plus other costs

6 (1) "Project costs" means the expenditures made or
7 estimated to be made and monetary obligations incurred or estimated
8 to be incurred by the municipality or county designating
9 ~~(establishing)~~ a reinvestment zone that are listed in the project
10 plan as costs of public works, ~~the~~ public improvements, programs,
11 or other projects benefiting ~~the~~ the zone, plus other costs
12 incidental to those expenditures and obligations. "Project costs"
13 include:

Tax Code Section 311.014(b) - Tax Increment Fund

Money may be disbursed from the fund only [to pay bond holders], to pay project costs for the zone, to make payments pursuant to an agreement under Section 311.010(b) dedicating revenue from the tax increment fund, or to repay other obligations incurred for the zone.”

Tax Code Section 311.015(a) – Tax Increment Bonds

A municipality designating a reinvestment zone may issue tax increment bonds or notes, . . . to pay project costs for the reinvestment zone. . . .”

Article 3, Section 52(a), Texas Constitution

Sec. 52. COUNTIES, CITIES OR OTHER POLITICAL CORPORATIONS OR SUBDIVISIONS; LENDING CREDIT; GRANTS; BONDS. (a) Except as otherwise provided by this section, the Legislature shall have no power to authorize any county, city, town or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value in aid of, or to any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company.

Article 3, Section 52-a, Texas Constitution
(added 1987; amended 2005)

Sec. 52-a. LOAN OR GRANT OF PUBLIC MONEY FOR ECONOMIC DEVELOPMENT. Notwithstanding any other provision of this constitution, the legislature may provide for the creation of programs and the making of loans and grants of public money, other than money otherwise dedicated by this constitution to use for a different purpose, for the public purposes of development and diversification of the economy of the state, the elimination of unemployment or underemployment in the state, the stimulation of agricultural innovation, the fostering of the growth of enterprises based on agriculture, or the development or expansion of transportation or commerce in the state. Any bonds or other obligations of a county, municipality, or other political subdivision of the state that are issued for the purpose of making loans or grants in connection with a program authorized by the legislature under this section and that are payable from ad valorem taxes must be approved by a vote of the majority of the registered voters of the county, municipality, or political subdivision voting on the issue. A program created or a loan or grant made as provided by this section that is not secured by a pledge of ad valorem taxes or financed by the issuance of any bonds or other obligations payable from ad valorem taxes of the political subdivision does not constitute or create a debt for the purpose of any provision of this constitution. An enabling law enacted by the legislature in anticipation of the adoption of this amendment is not void because of its anticipatory character.

Public Improvement Districts

Chapter 372, Local Government Code

(referred to as “PIDs”)

Public Improvement Districts

- Contiguous geographic area designated by a city within which assessments are levied to pay for public improvements that confer a special benefit on the property within the area [a legislative, discretionary process].
- The amount of an assessment against a parcel cannot exceed the special benefit conferred on the parcel by the improvements being financed.
- Assessments may be paid in full at any time together with interest through the date of payment, but otherwise without cost or expense to the landowner.
- Assessments, if not paid in full, may be payable in annual installments together with interest, collection costs, administrative costs, and delinquency charges.

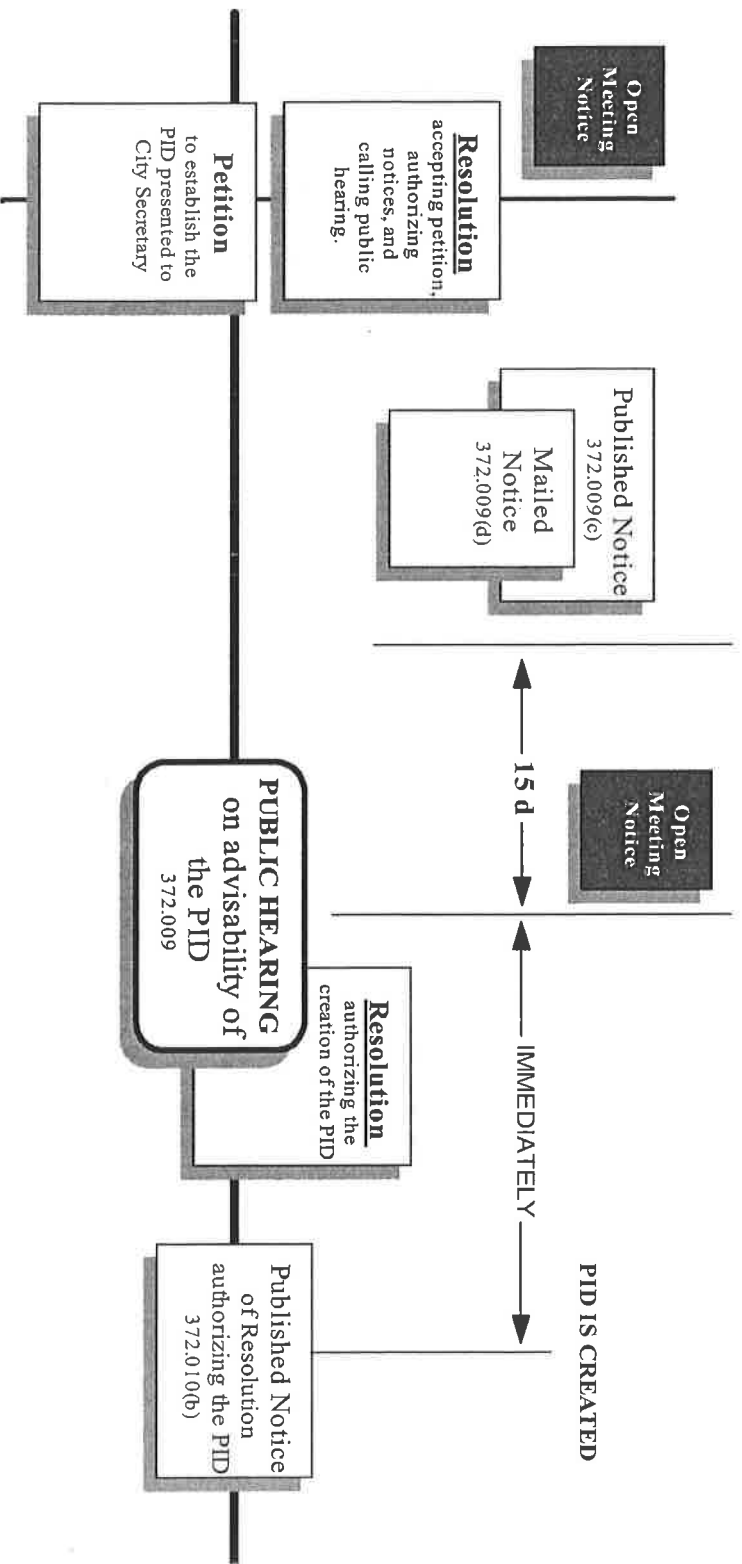
Public Improvement Districts

- Once levied, assessments do not increase; however, annual installments may be increased or reduced based on variations in collection costs, administrative costs, and delinquency charges.
- Payments of assessments and annual installments are deposited into a fund and used to reimburse the developer for costs or to pay debt service on bonds the proceeds of which are used to reimburse the developer or directly finance public improvements.
- Assessments are a personal liability of the landowner and are secured by a lien on the property that is junior to all liens for ad valorem taxes but otherwise is senior to all other liens (including purchase money liens).
- A city has not liability for the payment of assessments or bonds secured by assessments.

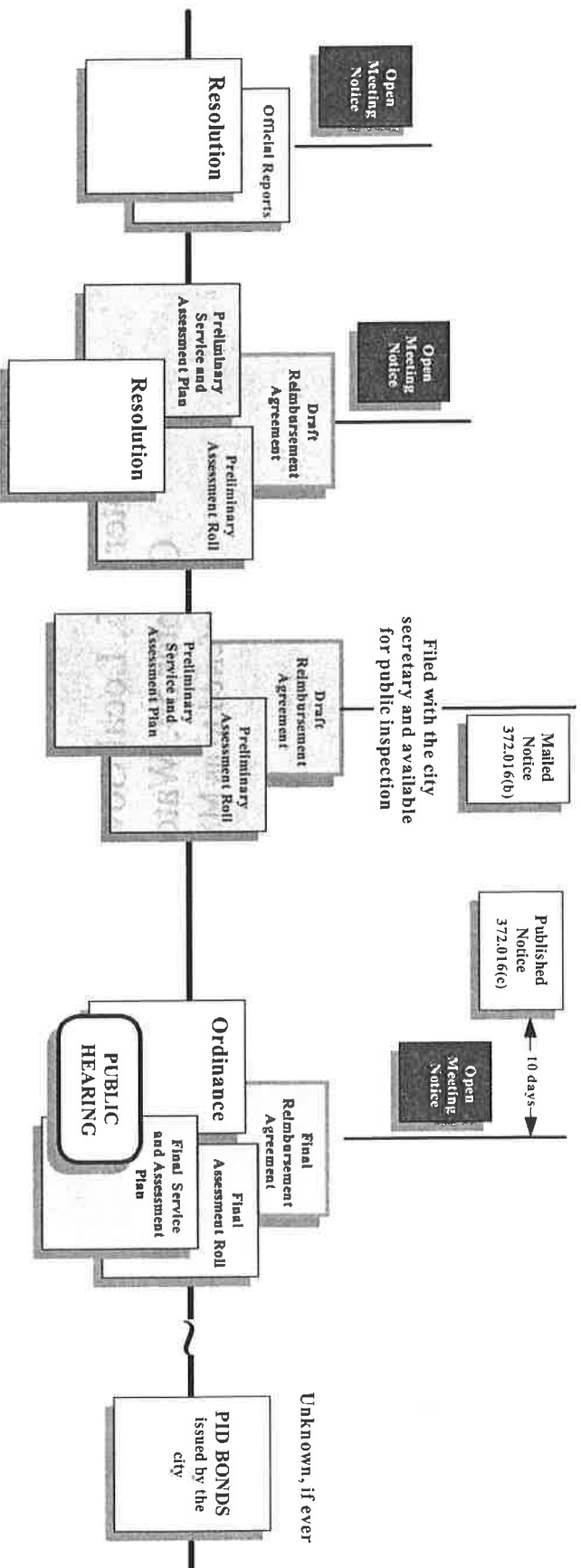
Public Improvement Districts

- SB 412 (2011 Legislative Session) eliminated the interest rate cap on PID bonds and significantly increased the interest rate on reimbursement agreements (5% above the weekly bond index for the first five years and 2% above the index thereafter).
- SB 422 (2011 Legislative Session) authorized cities to contract with the central appraisal district to collect assessments.
- PIDs offer one of few opportunities to issue “bare land” bonds and use the proceeds to construct public improvements [subject, however, to the confusing “All Bond Counsel ... Proposed Public Improvement District Guidelines” dated December 17, 2008, issued by the Attorney General].
- Creating a PID is quick and easy; levying assessments much more difficult.

Public Improvement Districts Creation Timeline



Public Improvement Districts Levy of Assessments (with Reimbursement Agreements) Timeline



“Legislative” Municipal Management Districts

Chapter 375, Local Government Code

Chapter 54, Water Code
(referred to as MMMDs)

Legislative Municipal Management Districts

- Numerous in-city “legislative” MMDS have been created during recent legislative sessions to reimburse developers for public infrastructure from the proceeds of bonds issued by the MMDS and secured by ad valorem taxes or special assessments or both:
 - Viridian MMD, Arlington
 - Cypress Waters MMD, Dallas
 - Trinity River MMD, Dallas
 - North Oak Cliff MMD, Dallas
- MMDS are political subdivisions (i.e., conservation and reclamation districts pursuant to Article 16, Section 59, Texas Constitution) similar, in most respects, to Municipal Utility Districts, Fresh Water Supply Districts, and Water Control and Improvement Districts.
- Most (but not all) of the legislative MMDS are subject to bond review by the TCEQ for financial feasibility.

Legislative Municipal Management Districts

- Most (but not all) of the recent MMD legislation authorizes the inclusion of MMD land in a TIRZ and the use of TIRZ increment revenue to mitigate the “double taxation” burden by either reducing the MMD tax rate or by reducing the amount of debt the MMD issues (but creation of the TIRZ and payment of the increment are still discretionary).
- MMD legislation during and after 2011 was based on the Senate IGR “template” (Senator Royce West)
- MMD legislation often gives cities control over the boards of directors and finance plans (i.e., gives cities a new “tax tool” to create economic development at the expense/risk of the owner/developer and, without any capital cost).
- The legislative process provides an opportunity for all “political stakeholders” to exact their respective “pound of flesh” from the owner/developer without any worries about “proportionality.”

Overview of Selected "Special District" Economic Development Tools

PETITION	REQUIRED CONSENTS				CREATED BY	STANDARD FOR CREATION	
	In-City	ETJ	County (including ETJ)	ISD			
Municipal Utility District (MUD) Ad. VCL 39, WCC Chp. 31	Yes, TCEQ	City	City consent of district council LGC 42.042 WCC 54.016	N/A	TCEQ	The district is feasible, practicable and necessary and will benefit the land. 51.021	
Fresh Water Supply District (FWSID) Art XVI 19, WCC Chp. 53	Yes, County	City	City consent of district council LOC 42.042	N/A	Commissioners	The petition is sufficient, including the necessity and feasibility of the district. 53.079, 53.014	
Water Control and Improvement District (WCITD) Ad. VCL 39, Art 14.52, WCC Chp. 53	Yes, County or TCEQ	City	City consent of district council LOC 42.042	N/A	Commissioners if water use only, one county; TCEQ if water use or more counties; TCEQ if sewer discharge	The petition shall be granted if (1) the district is feasible and practicable, (2) the land and residents will be benefited, (3) there is a public necessity or need, and (4) the creation will further the public welfare. 51.021	
Municipal Management District (MMD) Ad. VCL 39, Art 14.52, WCC Chp. 53	Yes, TCEQ	City	City consent of district council LGC 42.042	N/A	TCEQ <u>According to the Standard ICR 2010 Section 80001, cities and MMDs may be created to administer certain regional activities created and</u>	The district is feasible and necessary and would benefit the public, taking into consideration (1) the availability of comparable services from other systems (including special districts, municipalities, and regional authorities) and (2) the reasonableness of the proposed public purpose projects and services. 375.025	
LEGISLATIVE DISTRICT	N/A	CITY	CITY AND COUNTY	COLLIER (and CITY?)	ISD?	SPECIAL ACT OF LEGISLATURE	SPONSORED BY HOUSE/SENATE RELYS SUPPORT FROM THE CITY, COUNTY, AND ISD.
Public Improvement District (PID) TCC Chp 372	Yes, City Yes, County	City Home Rule	City Home Rule	N/A County	N/A	City Council Commissioners	The proposed public improvement projects are advisable 372.006, 372.010

Comparative Analysis of Consents to Creation

Petition	REQUIRED CONSENTS				CREATED BY	STANDARD FOR CREATION
	In-City	ETJ	County (including ETJ)	ISD		
Municipal Utility District (MUD) Art. XXV, §§ 39-40, Chap. 3	Yes, TCEQ	City City Council or Board of Directors LOC 42.042 WC 54.016	WC 54.016 30 TAC Chap. 55 Rule 55.203	N/A	TCEQ	The district is feasible, practicable and necessary and will benefit the land. 54.021
Fresh Water Supply District (FWSD) Art. XVI, §§ WC Chap. 53	Yes, County	City City Council or Board of Directors LOC 42.042	County	N/A	Commissioners	The petition is sufficient, including the necessity and feasibility of the district. 53.019, 53.014
Water Control and Improvement District (WCID) Art. XXV, §§ 39, 40, 41, 53, 55, 56, Chap. 3	Yes, County or TCEQ	City City Council or Board of Directors LOC 42.042	County if water one county; N/A if TCEQ created.	N/A	Commissioners if water only one county; TCEQ if water two or more counties; TCEQ if sewer/drainage	The petition shall be granted if (1) the district is feasible and practicable, (2) the land and residents will be benefited, (3) there is a public necessity or need, and (4) the creation will further the public welfare. 51.021
Municipal Management District (MMD) Art. XXV, §§ 39, 40, 41, 53, 55, 56, Chap. 3	Yes, TCEQ	City City Council or Board of Directors LOC 42.042	WC 54.016 30 TAC Chap. 55 Rule 55.203	N/A	TCEQ <u>(According to the Senate JOE 2010 Legislation Request, only the MMD has been formally created)</u>	The district is feasible and necessary and would benefit the public, taking into consideration (1) the availability of comparable services from other systems (including special districts, municipalities, and regional authorities) and (2) the reasonableness of the proposed public purpose projects and services. 37.5.025
LEGISLATIVE DISTRICT	N/A	CITY	CITY AND COUNTY (and CITY?)	ISD?	SPECIAL ACT OF LEGISLATURE	SPONSORED BY HOUSE/SENATE REPS; SUPPORT FROM THE CITY, COUNTY, AND ISD.
Public Improvement District (PID) LOC Chap. 37.2	Yes, City Yes, County	City Home Rule	N/A County	N/A	City Council Commissioners	The proposed public improvement projects are advisable. 37.2.006; 37.2.010

[illegible][illegible]

Comparative Analysis of Governing Bodies

Governed by:	Qualifications
MUD (WC Chp 54)	5 directors. 54.101 A director must be at least 18, a resident citizen of Texas and either own land subject to taxation in the district or be a qualified voter within the district. 54.102. The disqualification rules of 49.052 apply.
PWSD (WC Chp 53)	5 supervisors. 53.062 A supervisor must be at least 18, a resident of the state, and own taxable property in the district. 53.063(a). If any part of the district is in Denton County, the person must be a registered voter in the district. 53.063(b). The disqualification rules of 49.052 apply.
WCUD (WC Chp 51)	5 directors. 51.071 A director must be at least 18, a resident of the state, and own land subject to taxation in the district. 51.072. The disqualification rules of 49.052 apply unless the principal purpose of the district is to provide water for irrigation. 51.072
MMD (LGC Chp 375)	At least 9 but not more than 30 directors 375.061 A director must be at least 18 <u>and</u> (1) a resident of the district, (2) an owner of property in the district, (3) an owner of stock, whether beneficial or otherwise, of a corporate owner of property in the district, (4) an owner of a beneficial interest in a trust that owns property in the district, <u>or</u> (5) an agent, employee, or tenant of a person covered by (2), (3), or (4). 375.063. The disqualification rules of 49.052 apply.
Vindian MMD (Arlington – SL 3861)	5 directors. 3861.051 A director must own land in the district. 3861.053(a) The disqualification rules of 49.052 do not apply. 3861.053(b)
Cypress Valors MMD (Dallas – SL 3874)	9 directors (6 appointed by Council; one assistant city manager; the city's chief financial officer; and the city's economic director). 3874.051 To be appointed, a person must be 18 <u>and</u> (1) a resident of the district who is a registered voter of the district, (2) an owner of property in the district, (3) an owner of stock in a partnership or membership interest, whether beneficial or otherwise, of a corporate partnership, limited liability company, or other entity owner of a direct or indirect interest in property in the district, (4) an owner of a beneficial interest in a trust, or a trustee in a trust that directly or indirectly owns property in the district, (5) an agent, employee, or tenant of a person covered by (2), (3), or (4), <u>or</u> (6) an initial director. A person may not be appointed if fewer than three directors would be city residents. 3874.052(b); 3874.053(a). The disqualification rules of 49.052 do not apply. 3874.053(b)
Trinity River West MMD (Dallas – SL 3871)	9 directors appointed by Council, including 3 who are city employees. 3871.051 To be appointed, a person must be 18 <u>and</u> (1) a resident of the district who is a registered voter of the district or a registered voter who lives within two miles of the district, (2) an owner of property in the district, (3) an owner of stock, whether beneficial or otherwise, of a corporate owner of property in the district, (4) an owner of a beneficial interest in a trust that owns property in the district, <u>or</u> (5) an agent, employee, or tenant of a person covered by (2), (3) or (4). A person may not be appointed if fewer than four directors would be city residents. 3871.052(a); 3871.053(a). The disqualification rules of 49.052 do not apply. 3871.053(b)
North Oak Cliff MMD (Dallas – SL 3884)	9 directors (6 appointed by Council; one assistant city manager; the city's chief financial officer; and the city's economic director). 3884.051 To be appointed, a person must be 18 <u>and</u> (1) a resident of the district who is a registered voter of the district or a registered voter who lives within two miles of the district, (2) an owner of property in the district, (3) an owner of stock, whether beneficial or otherwise, of a corporate owner of property in the district, (4) an owner of a beneficial interest in a trust that owns property in the district, <u>or</u> (5) an agent, employee, or tenant of a person covered by (2), (3) or (4). A person may not be appointed if fewer than four directors would be city residents. A person may not be appointed if fewer than four directors would be city residents or if more than four directors would be seeking finance assistance from the district for capital improvements. 3884.052(b), (c); 3884.053. The disqualification rules of 49.052 do not apply. 3884.053(b)

Comparative Analysis of Division/Addition/Exclusion Rules

	Governed by:	Qualifications
MUD (WC Chp 54)	5 directors. 54.101	A director must be at least 18, a resident citizen of Texas and either own land subject to taxation in the district or be a qualified voter within the district. 54.102. The disqualification rules of 49.052 apply.
FWSD (WC Chp 53)	5 supervisors. 53.062	A supervisor must be at least 18, a resident of the state, and own taxable property in the district. 53.063(a). If any part of the district is in Denton County, the person must be a registered voter in the district. 53.063(b). The disqualification rules of 49.052 apply.
WCID (WC Chp 51)	5 directors. 51.071	A director must be at least 18, a resident of the state, and own land subject to taxation in the district. 51.072. The disqualification rules of 49.052 apply unless the principal purpose of the district is to provide water for irrigation. 51.072.
MDAD (LGC Chp 375)	At least 9 but not more than 30 directors. 375.061	A director must be at least 18 <u>and</u> (1) a resident of the district, (2) an owner of property in the district, (3) an owner of stock, whether beneficial or otherwise, of a corporate owner of property in the district, (4) an owner of a beneficial interest in a trust that owns property in the district, <u>or</u> (5) an agent, employee, or tenant of a person covered by (2), (3), or (4). 375.063. The disqualification rules of 49.052 apply.
Viridian MDAD (Arlington – SL 3861)	5 directors. 3861.051	A director must own land in the district. 3861.053(a). The disqualification rules of 49.052 do not apply. 3861.053(b).
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MUD VS. PID

ATTRIBUTE	MUD	PID
Total Projected Reimbursement Capacity	Higher	Lower
Interest Rates	Lower Rates – more bonds = more projects per taxpayer dollar	Higher Rates – fewer bonds = less projects per taxpayer dollar
Bond Efficiency	Fewer Reserves: 80-90% of principal to pay for projects	More Reserves: 70-80% of principal to pay for projects; market expects reserve fund
Project Flexibility	More project flexibility (offsite facilities)	Projects more restrictive (benefits conveyed)
Control	Through DA and/or SPA – parameters set up front – “set it and forget it”	PID – subject to future council actions and annual assessment levy process
City Financing Risk	MUD is a separate political subdivision – sells Bonds	Headline risk with bonds – City PID Bonds
Political Risk	Low	Higher – City changes position on sale of bonds
Development Risk	Born entirely by Developer – MUD only reimburses Developer if value is created	Development risk born by bondholders/assessment payers
Other Considerations		
Administration	MUD	City
Delinquent Collections	MUD handles own delinquent taxes	City must enforce assessment collection
Debt Issuance	MUD	City



MANVEL PD&Z

DATA SHEET

MEETING DATE: April 8, 2024

TOPIC: Public hearing regarding amending the zoning ordinance by changing the zoning classification of 13.08 acre tract of land located at 21708 Highway 288, Manvel, TX from Planned Unit Development District and State Highway 288 Overlay District (PUD/SH6) to Planned Unit Development District and State Highway 288 Overlay District (PUD/SH6-SUP) to Planned Unit Development District and Highway 6 Overlay District with Specific Use Permit (LC-SUP); providing for the granting of a Specific Use Permit with conditions to authorize the use of property for NAICS use 621493 "Ambulatory Health Care Services" within the Town Center Planned Unit Development.

BACKGROUND: The subject site is located at 21708 Highway 288, within the Town Center Planned Unit Development. The subject site, with approximately 13.08 acres, is located within the Planned Unit Development District and State Highway 288 Overlay District (PUD-HW6). The applicant, Permit Advisors, is requesting a Specific Use Permit (SUP) to open a Memorial Hermann Go Health Urgent Care facility. An Urgent Care Facility is classified as NAICS Use No. 621493, "Ambulatory Health Care Services," which is allowed in the Town Center Planned Unit Development with approval of a Specific Use Permit.

The SUP application with a proposed floor plan and site plan was submitted with the application for this Specific Use Permit. This Urgent Care Facility will have a typical plan for these types of uses with a waiting lobby, front desk area and four (4) exam rooms. The subject site has access from Highway 288 and Highway 6 for an under construction commercial strip center. This proposal does not intend to make any exterior improvements to the property. If this Specific Use Permit is approved, Memorial Hermann Go Health Urgent Care can be located within 21708 Highway 288 Suite 103 and tenant improvements can be approved for this use.

The subject site being located along a major thoroughfare, makes it an appropriate location for the proposed use and hence aligns with the Comprehensive plan goals. The proposed use is not anticipated to be injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values in the vicinity.

RECOMMENDATION: City staff recommends conditional approval with four (4) conditions as proposed by staff and listed in the Staff Report.

ATTACHMENTS: Staff Report and Ordinance No. 2024-O-17

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Evan DuVall

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____





Planning, Development, and Zoning Commission Specific Use Permit Request

Agenda of:	April 8, 2024	Initiated By:	Evan DuVall SAFEbuilt
Department:	Development Services	Presented By:	Evan DuVall SAFEbuilt

Subject/Proceeding

Specific Use Permit (SUP) request to establish an Urgent Care Center within an under construction 10,667 square-foot commercial strip center on an approximate 13.08-acre tract of land located at 21708 Highway 288, Manvel, TX within the Planned Unit Development and State Highway 6 Overlay District.

Recommended Action

A Public Hearing followed by consideration and action from the Commission to provide a recommendation to the City Council.

Executive Summary

The subject site is located at 21708 Highway 288 suite #103, within the Town Center Planned Unit Development and the Highway 6 Overlay District. This request is for an urgent care service for most non-life-threatening illnesses and injuries, as well as x-ray and diagnostic tests. This urgent care center will be part of the Memorial Hermann Go Health system. An urgent care is classified as NAICS Use No. 621493, "Ambulatory Health Care Services" which is allowed in Planned Unit Development and Highway 6 Overlay District with the approval of a Specific Use Permit.

Staff Report

Zoning Ordinance Provisions for Specific Use Permits

In Section 77-50 (a) *Uses Requiring Specific Use Permit*, of the Zoning Ordinance it states “certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the orderly development of the city as a whole. This section provides City Council and Planning, Development, and Zoning the opportunity to deny or to conditionally approve those uses for which specific use permits are required. These uses generally have unusual characteristics or are of a public or semipublic character often essential or desirable for the general convenience and welfare of the community. However, because of the nature of use, the importance of the use’s relationship to the comprehensive plan, or possible adverse impact on neighboring properties of the use, review, evaluation, and exercise of planning judgement relative to the location and site plan of the proposed use are required.”

In Section 77-50 (b) of the Zoning Ordinance it further states, “the City Council, after receiving the recommendation of the planning, development and zoning commission, may by ordinance, grant a specific use permit for the permitted uses, as herein qualified by the permitted use table, in locations and zoning districts to permit a use where they are not otherwise permitted by this article, and may impose any

appropriate conditions and safeguards to protect property and property values, and in the interest of health, safety or welfare.”

General Site Information

The following is a summary of general site information.

Surrounding Property Zoning	North: Planned Unit Development (Town Center) South: Light Commercial District (LC) & Highway 6 Overlay District East: Highway 288 West: Planned Unit Development (Town Center) & Highway 6 Overlay District
Surrounding Land Use	North: Town Center Commercial Development South: Vacant East: Highway 288 West: General Retail and commercial within the Town-Center Planned Unit Development.

Overview

The applicant intends to develop a roughly 2,601 square-foot portion of a commercial strip center that is currently under construction and close to being finalized. This development will utilize the existing driveways established for the town center development. This urgent care center is planned to be open from 8:00 AM to 8:00 PM Monday through Friday, and 9:00 AM to 5:00 PM Saturday and Sunday.

Recommended Conditions:

1. Specific Use Permit is only for 21708 Highway 288, Suite 103, for a total of approximately 2,650 square feet.
2. The facility is only permitted to operate during the hours of 8:00 a.m. to 10:00 p.m. each day, unless authorized by an approved Specific Use Permit (SUP).
3. All waiting and/or lobby areas shall maintain an unobstructed view from the outside.
4. All doors shall remain unlocked and accessible during normal business hours.

Comprehensive Plan

The vision statement in the 2015 Comprehensive Plan seeks to maintain its rural character and small-town values while managing its growth by: “Benefiting from our strategic location by encouraging well planned quality retail, commercial and residential development that reflects and enhances our small-town quality of life”. The subject site being located along a major thoroughfare, makes it an appropriate location for the proposed use and hence aligns with the Comprehensive plan goals. The proposed use is not anticipated to be injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values in the vicinity.

Parking Analysis

This location is part of an existing commercial strip center of approximately two buildings. This proposal is to locate in the larger building of approximately 10,667 square feet, and this property will share parking with another 5,732 square feet. The Town Center development shares parking between multiple parcels and development at a minimum parking standard of five (5) per 1,000 square feet. There will be plenty of parking spaces for the proposed use and other uses proposed in this commercial development.

Public Hearing

The Notice of Public Hearing was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. At the time of writing this report, the staff has received no informational inquiry and is not aware of any opposition to the request.

Staff Recommendation

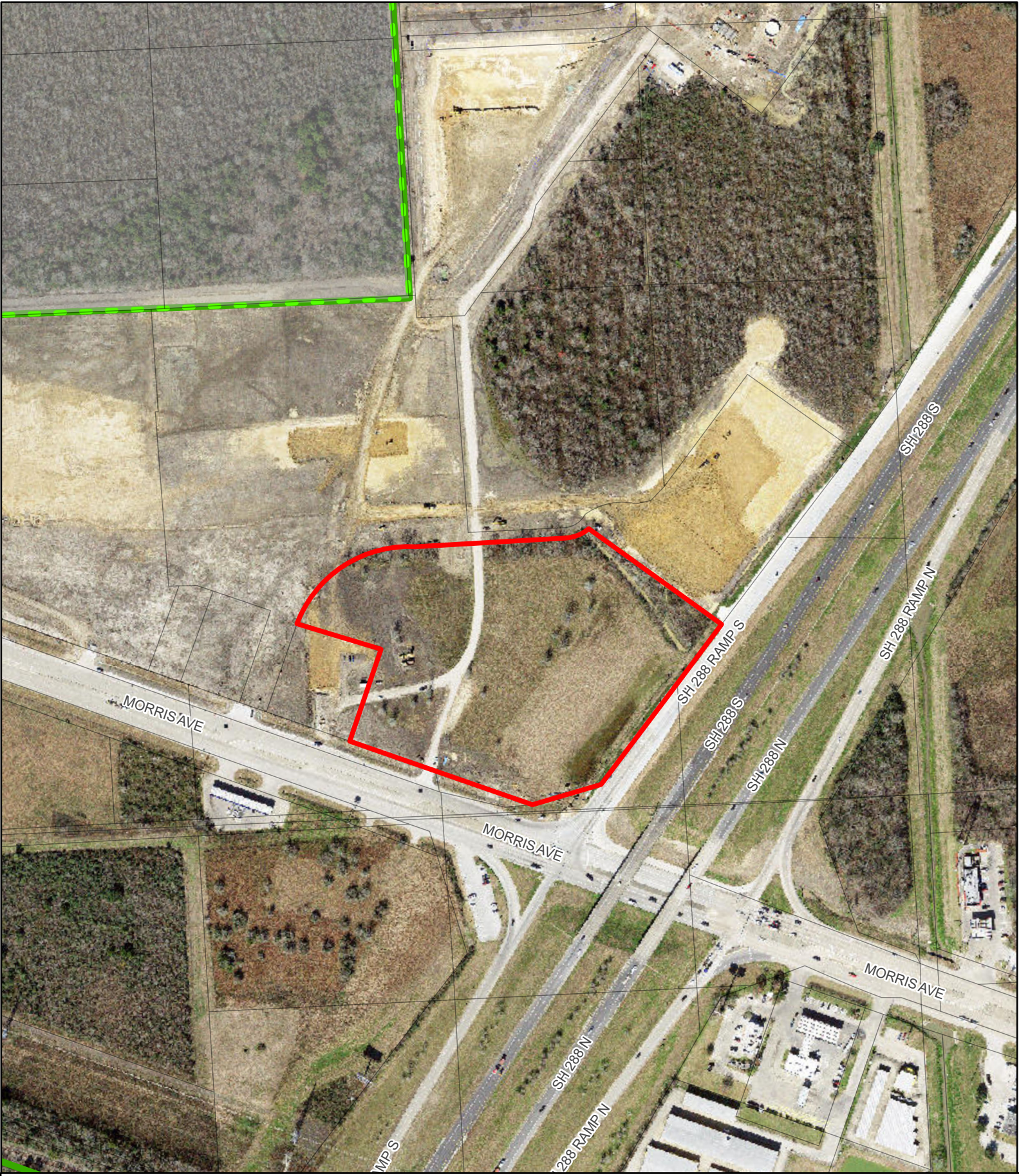
Based on the above discussion, staff recommend conditional approval of this SUP request for the subject site to allow NAICS Use No. 621493, " Ambulatory Health Care Services," as it will not cause any adverse impacts, and will provide necessary services to the City of Manvel. Staff recommends four (4) conditions of approval for the proposed urgent care facility. The first recommended condition is to limit this approval for this proposed urgent care facility, and the other three conditions are found under Sec. 77-50(g)(4) for NAICS codes 621.

Recommended Conditions.

1. Specific Use Permit is only for 21708 Highway 288, Suite 103, for a total of approximately 2,650 square feet.
2. The facility is only permitted to operate during the hours of 8:00 a.m. to 10:00 p.m. each day, unless authorized by an approved Specific Use Permit (SUP).
3. All waiting and/or lobby areas shall maintain an unobstructed view from the outside.
4. All doors shall remain unlocked and accessible during normal business hours.

Attached Exhibits

1. Aerial Vicinity Map,
2. Zoning Vicinity Map,
3. Major Thoroughfare Plan Map,
4. Application
5. Letter of Request
6. Site Photos
7. Applicate Presentation
8. Site Plan
9. Proposed Floor Plan.

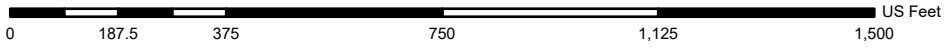


Manvel Town Center Phase 1B

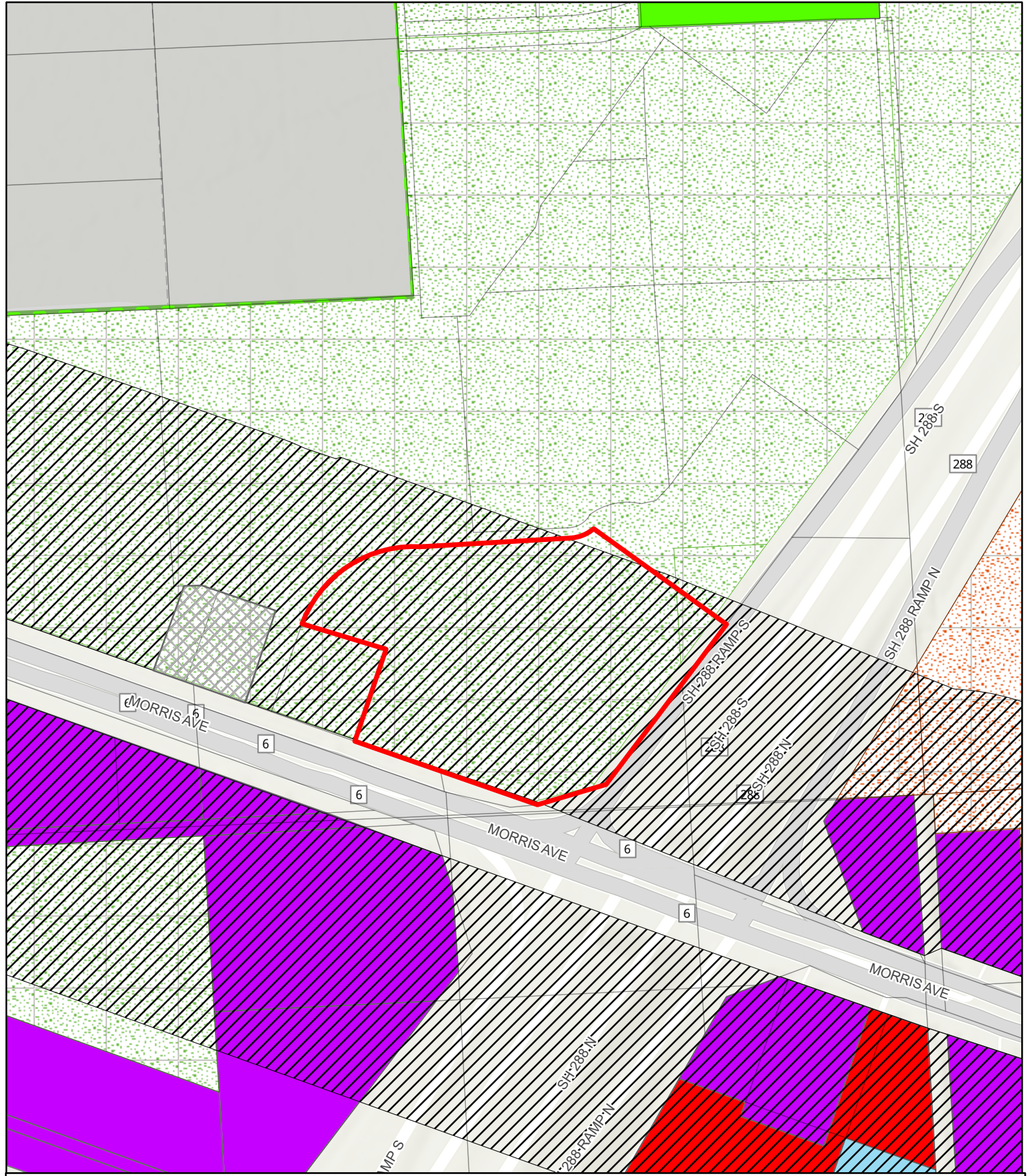


- Manvel Town Center Ph 1B
- City of Manvel ETJ
- City of Manvel City Limits

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: March 2024
Reference: 2024018
Data Source: City of Manvel,
Brazoria County Open Data

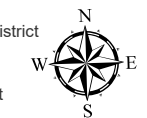
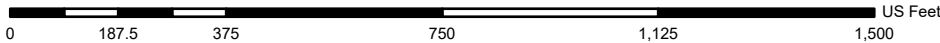


Manvel Town Center Phase 1B

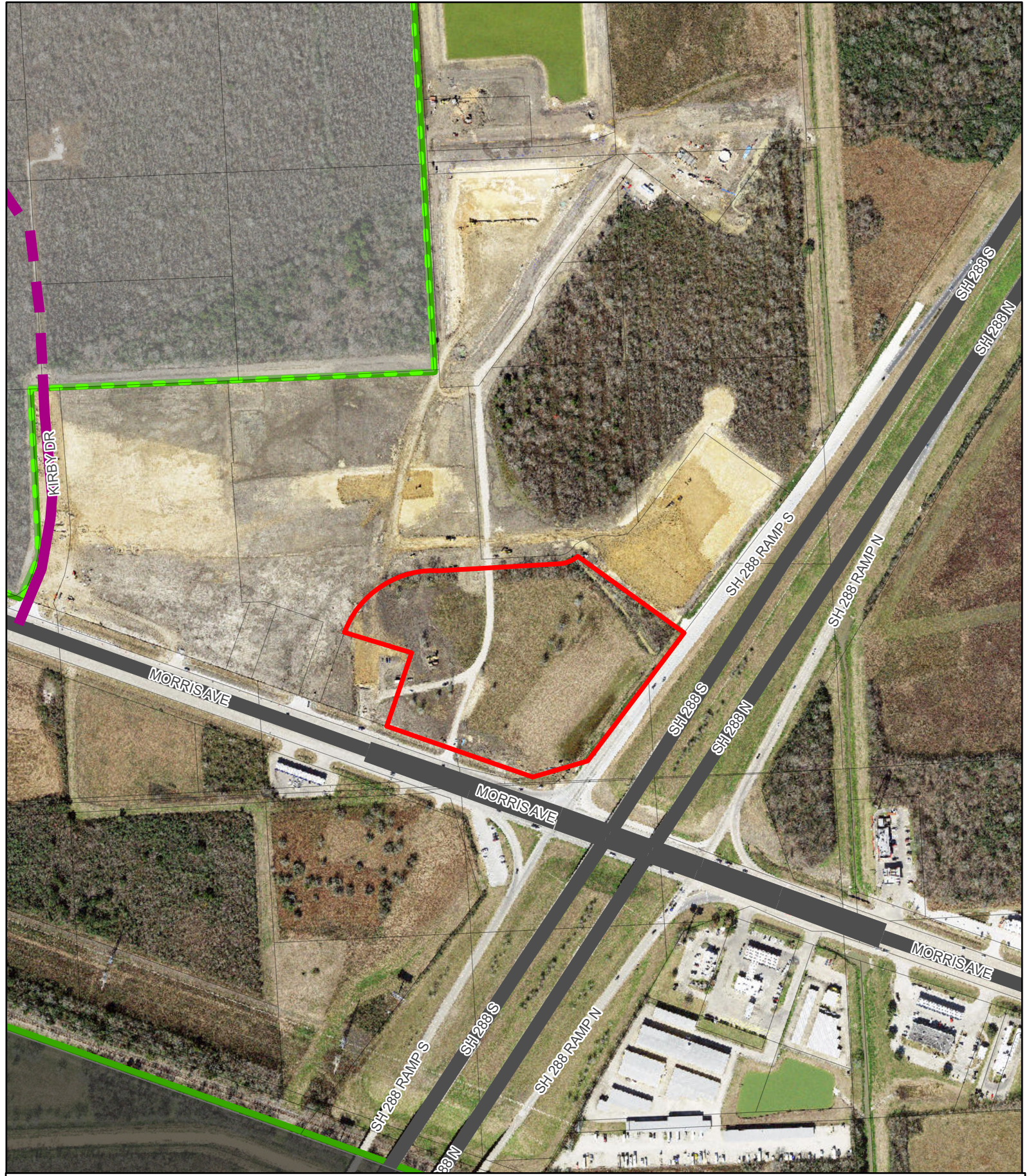


- | | | | |
|----------------------------|----------------------------------|---------------------------|---|
| Manvel Town Center Ph 1B | Specific Use Permits-current | Light Commercial District | Open Single-Family Residential District |
| City of Manvel ETJ | State Highway 6 Overlay District | Multi-Family District | Single-Family Residential District |
| City of Manvel City Limits | Heavy Commercial District | Planned Unit Development | Open - Planned Unit Development |

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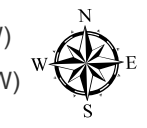
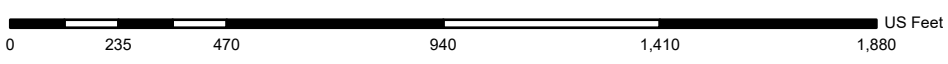


Manvel Town Center Phase 1B



- Manvel Town Center Ph 1B
- City of Manvel City Limits
- Proposed Parkway (120' ROW)
- City of Manvel ETJ
- Parkway (120' ROW)
- Major Thoroughfare (120' ROW)

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Brazoria County Open Data



DEVELOPMENT SERVICES

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P: 281-489-0630
F: 281-489-0634

SPECIFIC USE PERMIT APPLICATION

PROJECT INFORMATION

Project Name: Memorial Herman Go Health
Project Location/Address: 21708 Highway 288, Suite 103
Legal Description: Manvel Town Center, LTD. ABST-291 SUBD-Emigration Land Co S/D, A-291 Lot 50
Current Zoning: Planned Unit Development Proposed Land Use: Commercial Retail NAICS No.:
Parcel/Tax ID# (s): 167683 Total Acreage: 13.08

APPLICANT INFORMATION

Applicant Name: Rosie Felix
Company Name: Permit Advisors
Address: City: State: Zip:
Phone #: 424-437-6231 Email: rosie@permitadvisors.com

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT, and I, the undersigned, am authorized to make this application on behalf of the owner(s). I understand that this application will expire one year from the date submitted.

Rosie Felix 1-24-2024
Applicant Signature (REQUIRED) Date

PROPERTY OWNER INFORMATION

Owner(s) Name: Manvel Town Center, LTD.
Address: 1800 Bering, Suite 550 City: Houston State: TX Zip: 77057
Phone #: 713-781-7111 Email: bbloomfield@weitzmangroup.com

PROPERTY OWNER'S AUTHORIZATION (Required – If owner is also the applicant, must sign as both):

I am the owner of the property for which this application is being made. I authorize the above person (Applicant) to submit this application and to correspond with the City of Manvel regarding this application on my behalf.

APM 1/24/2024
Owner's Signature (REQUIRED) Date



DEVELOPMENT SERVICES

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the development; however, it is incumbent upon the applicant to inquire about these exceptions for your project **before** submitting an application. Answers to specific use permit applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a formal application. Please call the phone number on the application to schedule an appointment. Submit application and accompanying documents to the Permits and Inspections at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

SPECIFIC USE PERMIT SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Specific Use Permit Application (with all signatures)	x
Two (2) Copies of a Conceptual Plan (building, parking, landscaping, etc. locations)	x
Two (2) Legal Descriptions of Property (metes & bounds description if not platted)	N/A
Two (2) Copies of Recorded Plat (if platted)	N/A
Two (2) Applicant Letters of Request	x
Traffic Impact Analysis, (if applicable)	N/A
Paid Application Fee	x

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Rosie Felix

1-24-24

Applicant Signature

Date



DEVELOPMENT SERVICES

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

Manvel Town Center, LTD.

Owner Name

1800 Bering Drive, Suite 550

Owner Address

Houston, TX 77057

Owner City, State

Zip

1/24/2024

Date

Building and Inspections

20025 Highway 6

Manvel, TX 77578

Dear City of Manvel Permits and Inspections,

I, Steve Chandler, certify that I am the owner of the project property located at 21708 Highway 288 and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Rosie Felix with the company Permit Advisors (if applicable) to act as my representative for this project. I agree to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to remit payment for services can lead to delays in this project – up to and including rejecting the project and forfeiting any fees paid.

Please contact me directly at 713-781-7111 if you have any questions.

Sincerely,

Owner Name Steve Chandler

Owner Signature



Architecture Engineering Planning Interiors

235 Montgomery Street, Suite 350
San Francisco, CA 94104

03/14/2024

City of Manvel

Byron Belle, on Behalf of DLR Group

GoHealth Urgent Care Tenant Improvement – Manvel
21708 Highway 288, Suite 103
Manvel, TX 77578

To Whom It May Concern:

GoHealth is a joint venture with Memorial Hermann and Access Clinical Partners, LLC. GoHealth's centers offer (and the proposed center will offer) urgent care services for most non-life-threatening illnesses and injuries, as well as x-ray and rapid diagnostic test.

GoHealth's centers are open 365 days a year (8AM – 8PM Monday – Friday & 9AM – 5PM Saturday, Sunday & Holidays), providing convenient same-day, evening, weekend and holiday care. GoHealth's centers provide care for allergies, asthma, cold & flu, and offer Covid 19 testing, ear infections, flu shots, comprehensive care for every illness (such as sore throat), sinus infections, injuries, on-site testing services, sports and camp physicals, skin rashes urinary tract infections, telemedicine and imaging.

GoHealth will be a great addition to the community to provide immediate care for their families, children and aging members of the population, and it is one well suited to their mission and corporate values.

If there are any questions/concerns, please do not hesitate to reach out to us.

Best Regards,

Maribel Pasillas, Jeffrey Milla

Site Photos: West



Site Photos: Northwest





MEMORIAL
HERMANN |  GoHealth.
URGENT CARE

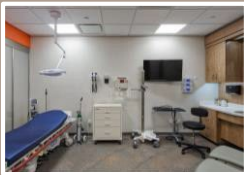
Award winning, patient-centric clinic design

**GoHealth centers won
2015 ICSC U.S. Design &
Development Award**

for outstanding achievement
in retail store design – the
premier design award for the
retail industry



**U.S. DESIGN &
DEVELOPMENT
AWARDS**



**MEMORIAL
HERMANN** |  **GoHealth**
URGENT CARE

GoHealth: The Basics

Who you'll find staffing our centers:

- 1 -2 EM/FP Physicians or ED Experience PAs/NPs
- 1 Rad Tech
- 1 Medical Assistant

Ancillary services we offer:

- X-rays for joint and bone injuries
- Point of care testing for rapid Covid - 19, strep, flu, mono, glucometry and urinalysis
- Work area for blood testing and cultures and phlebotomy services.

Hours that we operate our centers:

- 8 AM to 8 PM (Monday – Friday)
- 8 AM to 8 PM (Saturday, Sunday and Holidays)

Volume we typically see our centers:

- We expect to see anywhere from 3 to 5 patients an hour at our centers

MEMORIAL HERMANN | GoHealth
URGENT CARE



GoHealth: The Basics

Design Elements:

- 4 exam rooms
- 5 work-stations
- 2 bathrooms
- Work Area, break room & medical storage
- Mobile x-ray
- Medical waste is secured within our center and carted by private contracted service
- No Narcotics on-site

Clockwise Queuing:

- Regulates the flow of patients by offering appointments and visibility to neighboring centers wait times
- Allows people who walk-in to be given notifications on when to come back to be seen
- Ability to manage our wait times and door to door times

Patients now have a convenient way to check in online and avoid the wait

[Services](#)[Find a Center](#)[Virtual Visit](#)[Bill Pay](#)[Health Library](#)[Log in](#)[Save my spot](#)**Location** ▾

Choose a location near you

**Reason for visit** ▾

How can we help you?

**Date & time** ▾

Choose timeslot



Virtual Visits offer face-to-face exams from home

Virtual Visits are a convenient and increasingly popular alternative for patients and their providers today. In fact, our virtual platform can be used to diagnose and treat a wide range of conditions, from allergies and rashes to sprains and bug bites, UTIs, pink eye, coughs, colds, flu and much more. Booking a virtual visit is fast, easy and can be done where and when you need it.

[Learn more](#) →

We measure our patient experience through Net Promoter Score that is delivered via text message

Net Promoter Score: 82

Reporting period: **2021 YTD**

10! Beautiful state of the art facility and everyone was professional & courteous. I was taken care of right away.

Definitely a 10! I have already suggested GoHealth to a friend. I really appreciated the follow up call. Other experiences elsewhere did not do that, they just suggest you to follow up with your PCP.

10!!!! Thank you for referring me because you probably helped save my life!

The staff were very warm, friendly and inviting. There was no wait and the center was very clean. The front desk was professional. I will be coming back in the future!



MEMORIAL®
HERMANN |  GoHealth.
URGENT CARE

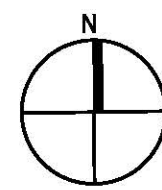


<u>DETENTION PONDS - SERVICE AREA TABLE</u>				
<u>DETENTION REQUIRED</u>				
	100.75 AC	+ 0.03 ADJST./AC		102.71 AC/F
MAMUEL TOWN CENTER PHASE 1A TOTAL	100.70 AC			102.71 AC/F.
<u>DETENTION PROVIDED</u>				
	<u>AREAS</u>	<u>STORAGE</u>	<u>STATE A.S.</u>	<u>100 YRS. W.S.</u>
DETENTION POND 1A	8.87	46.69 AC/F.	47.72	56.50
DETENTION POND 1B	8.93	38.17 AC/F.	47.72	56.50
PULASKI DETENTION POND TO	2.50	17.89 AC/F.	47.72	56.50
TOTAL		102.71 AC/F.		

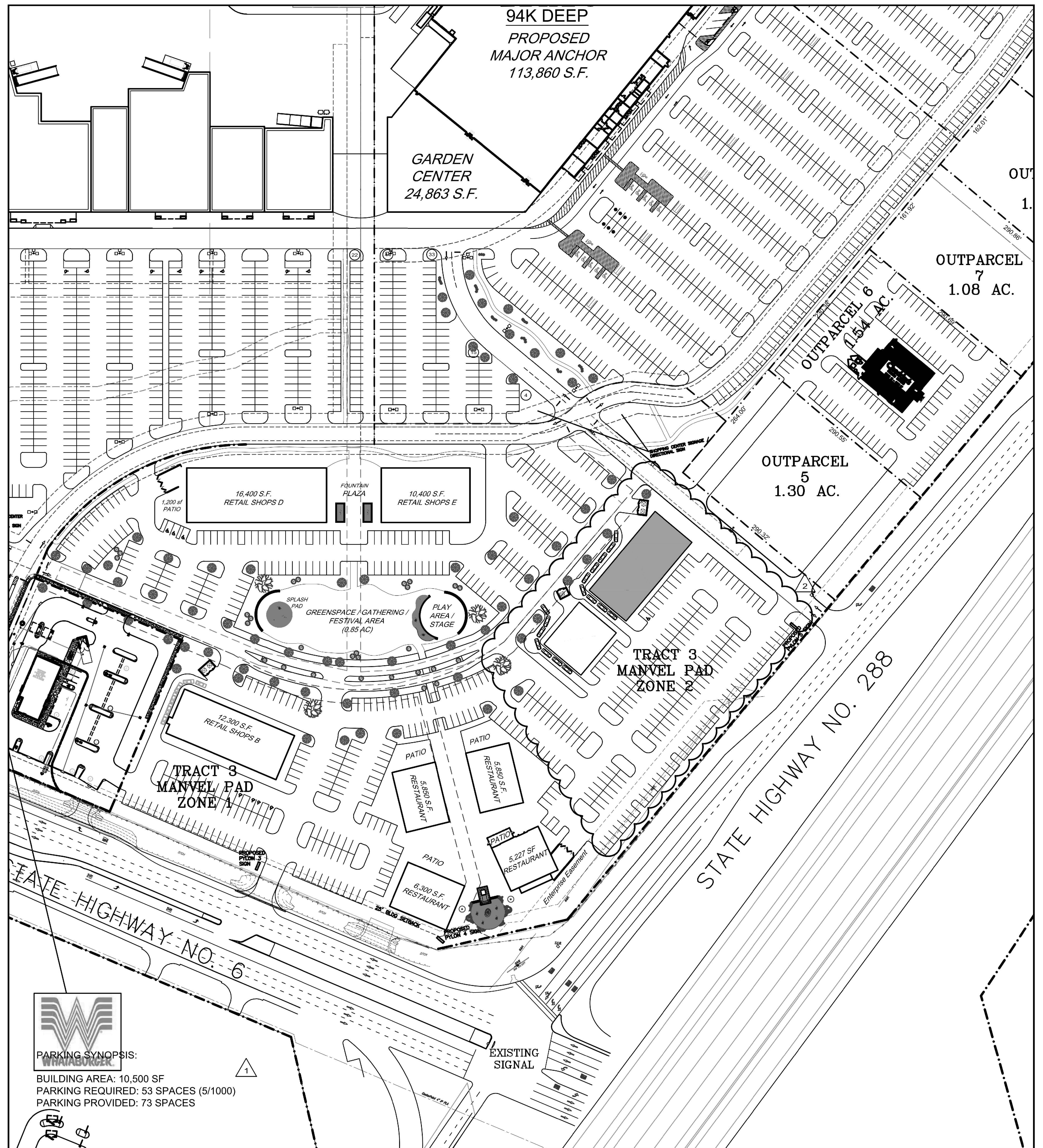
BGE, Inc.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-550-0700 • www.bgeinc.com
TBE Registration No. F-1046
TBE Licensed Surveying Firm No. 101665-00

SHEET 1 of 2

P:\A\38-24122-00\Drawings\A\1503.dwg
1/17/2024 11:17 AM



SITE PLAN (FOR REFERENCE ONLY)
SCALE: N.T.S.

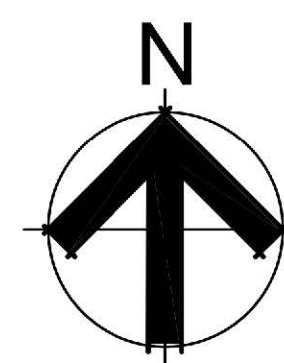


PARKING SYNOPSIS:

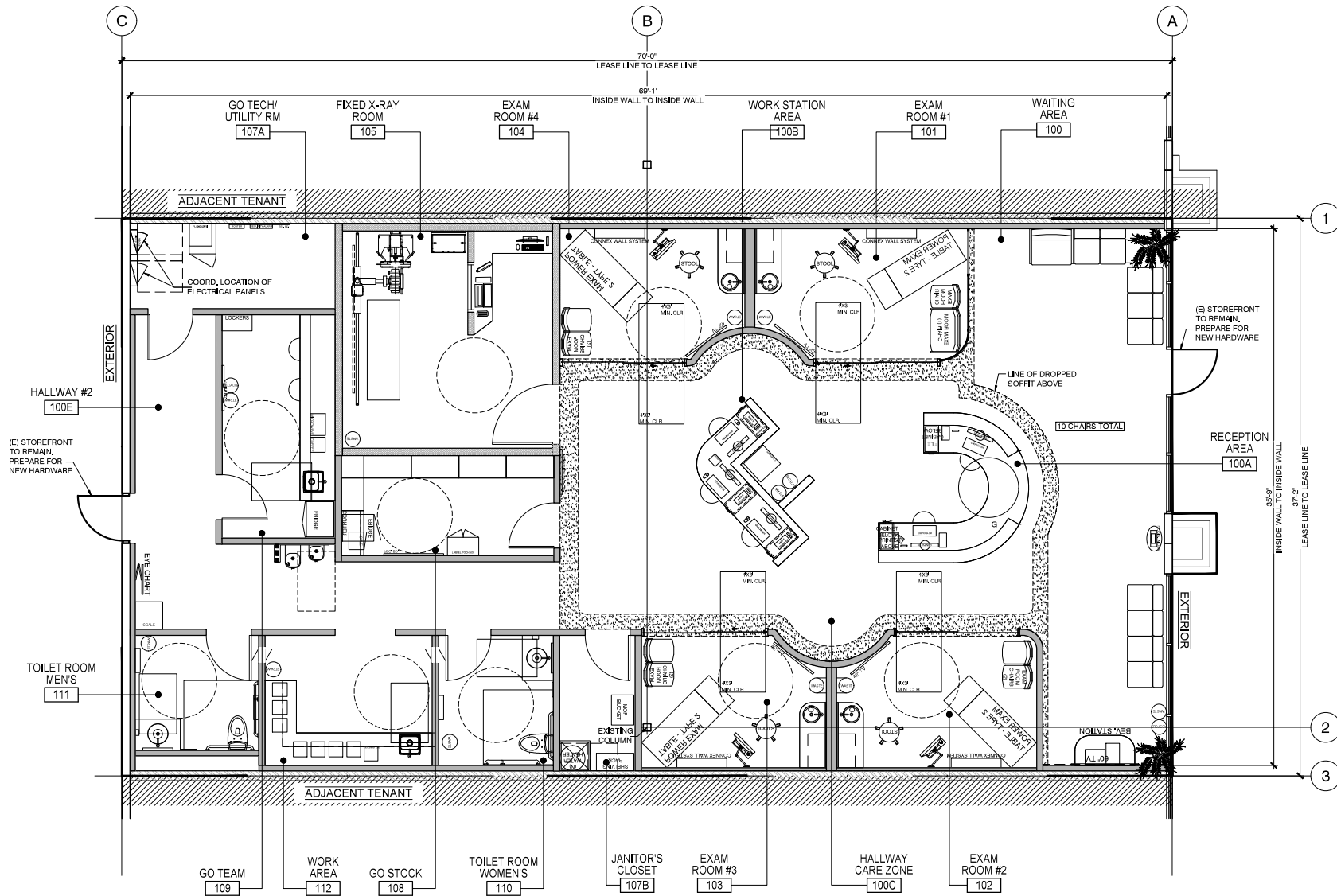
BUILDING AREA: 10,500 SF
PARKING REQUIRED: 53 SPACES (5/1000)
PARKING PROVIDED: 73 SPACES



SHADED AREA INDICATES SCOPE OF
WORK INCLUDED IN THESE DOCUMENTS



PARTIAL ENLARGED VICINITY MAP



GoHealth Floor Plan
SCALE 1/4" = 1'-0"

URGENT CARE CENTER - MANVEL

PRELIM FLOOR PLAN

TOTAL SQ.FT. $\pm$ 2,612 SF

NOTE: THIS INFORMATION IS CONCEPTUAL IN NATURE AND IS SUBJECT TO ADJUSTMENT PENDING FURTHER VERIFICATION AND CLIENT, TENANT, AND GOVERNMENT AGENCY APPROVALS. NO WARRANTIES OR GUARANTEES OF ANY KIND ARE GIVEN OR IMPLIED OF THE ARCHITECT.

NOT FOR CONSTRUCTION

12/18/2023

PROJECT NO.: 39-24122-00



SK-1

ORDINANCE NO. 2024-O-17

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 13.08 ACRE TRACT OF LAND LOCATED AT 21708 HIGHWAY 288, MANVEL, TEXAS (DESCRIBED AS RESERVE “A” OF MANVEL TOWN CENTER PHASE ONE B), FROM PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT (PUD-SH6) TO PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (PUD-SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 621493 “AMBULATORY HEALTH CARE SERVICES” TO BE LOCATED WITHIN THE TOWN CENTER DEVELOPMENT; 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.

* * * * *

WHEREAS, Manvel Town Center, LTD., is the owner (the “Owner”) of a certain 13.08-acre tract of land located at 21708 Highway 288, Manvel, Texas, such tract situated in the H.T. & B.R.R. CO. Survey, Section 71, Abstract 291, Brazoria County, Texas, being a partial replat of lots 42, 49, 50, 58 an abandoned 40-foot road of the emigration land company subdivision, section 71 recorded in Volume 2, Page 81-82 of the Plat Records of Brazoria County Texas, a map and description of which is attached hereto as Exhibit “A”; and

WHEREAS, the 13.08-acre tract is currently zoned Planned Unit Development District and Highway 6 Overlay District (PUD-SH6); and

WHEREAS, the applicant, Permit Advisors, has filed an application to change the zoning classification of the 13.08-acre tract to Planned Unit Development District and Highway 6 Overlay District with a Specific Use Permit (PUD-SH6-SUP) allowing the proposed use of the property for NAICS use 621493 “Ambulatory health Care Services”; and

WHEREAS, the Planning, Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on such request; and

WHEREAS, the Planning, Development, and Zoning Commission has recommended in its report the approval of such request, and the City Council deems it appropriate to approve said amendment to the zoning and specific use permit; now, therefore,

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

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

Section 2. The zoning classification of a certain 13.08-acre tract of land located at 21708 Highway 288, Manvel, Texas, such tract situated in the H.T. & B.R.R. CO. Survey, Section 71, Abstract 291, Brazoria County, Texas, being a partial replat of lots 42, 49, 50, 58 an abandoned 40-foot road of the emigration land company subdivision, section 71 recorded in Volume 2, Page 81-82 of the Plat Records of Brazoria County

Texas, a map and description of which is attached hereto as Exhibit “A” attached hereto, shall be changed from Planned Unit Development and State Highway 6 Overlay District (PUD-SH6) to Planned Unit Development and State Highway 6 Overlay District (PUD-SH6), with one Specific Use Permit (PUD-SH6-SUP), for uses as permitted within such zone classification, subject to the regulations, regulations, and conditions hereinafter set forth:

1. Ambulatory Health Care Services– (NAICS 621493)

Section 3. The request meets the criteria set forth in Section 77-50 of the City of Manvel Zoning Ordinance for a Specific Use Permit. The City of Manvel Zoning Ordinance is hereby further amended by granting a Specific Use Permit authorizing use of the Property for the NAICS use listed in Section 2, above.

Section 4. The City Council hereby finds it appropriate to impose the conditions to the granting of the Specific Use Permit as shown in Exhibit “B”, attached hereto and incorporated herein as if set out in full. This proposed use of a “Ambulatory Health Care Services” and site may not be changed or expanded except by amendment of this Specific Use Permit.

Section 5. The Specific Use Permit issued under this ordinance, or a specific use listed herein, shall expire one year after its date of issuance if construction or if the listed use authorized hereunder is not substantially under way or in use prior to the expiration of said one year period. If, prior to the expiration of such one-year period, the owner of the property to which the Specific Use Permit applies in writing, for an extension, the City Council may, after recommendation from the Planning, Development, and Zoning Commission, grant such extension for one additional year.

Section 6. The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said tract, as described and as provided in Section 2, above, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 7. The City Council hereby finds and determines that said rezoning comports to the City's Comprehensive Land Use Plan. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Manvel, save and except the change in zoning classification of said tract(s) as described above.

Section 8. In the event any section, paragraph, subdivision, 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 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 and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 9. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 10. Revocation. This Specific Use Permit may be revoked or modified by the City Council, in whole or in part, after notice and hearing, for either of the following reasons:

(1) The Specific Use Permit was obtained or extended by misrepresentation, fraud or deception: or

(2) That one of more of the conditions imposed by the permit has not been met or has been violated.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2024.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

Exhibit A

Certain 13.08-acre tract of land located at 21708 Highway 288, Manvel, Texas, such tract situated in the H.T. & B.R.R. CO. Survey, Section 71, Abstract 291, Brazoria County, Texas, being a partial replat of lots 42, 49, 50, 58 an abandoned 40-foot road of the emigration land company subdivision, section 71 recorded in Volume 2, Page 81-82 of the Plat Records of Brazoria County Texas.



Exhibit B

Recommended Conditions:

1. Specific Use Permit is only for 21708 Highway 288, Suite 103, for a total of approximately 2,650 square feet.
2. The facility is only permitted to operate during the hours of 8:00 a.m. to 10:00 p.m. each day, unless authorized by an approved Specific Use Permit (SUP).
3. All waiting and/or lobby areas shall maintain an unobstructed view from the outside.
4. All doors shall remain unlocked and accessible during normal business hours.



Public Utility Commission of Texas

1701 N. Congress Ave., PO Box 13326, Austin, TX 78711-3326

2024 CONSUMER PRICE INDEX (CPI) ADJUSTMENT TO MUNICIPAL TELECOMMUNICATIONS RIGHT-OF-WAY ACCESS LINE RATES

February 28, 2024

PURPOSE

This letter is to notify you that your city's 2024 maximum access line rates have increased by 2.2484% due to inflation, as measured by the CPI. This adjustment has been made pursuant to Chapter 283 of the Local Government Code (House Bill 1777).

DEFAULT RATES FOR 2024: INCREASE

Based on the choices made by your city in April 2023, your city's 2024 rate will either be adjusted for inflation, or will remain the same as your 2023 rate. According to our records, when similar CPI adjustments were made in April 2023, your city chose the MAXIMUM allowable CPI-adjusted rates. Therefore, your 2024 rates will reflect an increase of 2.2484% from your 2023 rates. You have the option to decline this increase in rates by taking the action explained below.

ACTION BY CITY: TO REFUSE THE INCREASE

(1) You do not have to respond to accept the increased access line rates. (2) Respond ONLY if you want to DECLINE the increase in access line rates. (3) To decline, notify the PUC using page 2 of this letter no later than April 30, 2024. (4) The PUC does not require City council authorization; however, if your city charter requires it, please do so immediately. (5) Verify your contact information and highlight any changes. (6) Make a copy of this document.

WHAT HAPPENS IF A CITY DOES NOT RESPOND BY APRIL 30, 2024?

If a city does not respond by April 30, 2024, the rates for your city will increase from 2023 levels to the newly established 2024 levels. The next opportunity to adjust your rates will be September 1, 2024.

WHAT HAPPENS NEXT?

The PUC will notify telephone companies of your desired rates and you will be compensated accordingly no later than July 1, 2024.

FUTURE REVISIONS TO CPI

The access line rates will be revised annually in March depending on whether the CPI changes for the previous year. If the CPI changes for the year 2024, you will receive a similar letter in March 2025.

See over...

SECTION 1: Your 2023 city preferred rates are as follows:

Residential: \$1.42 Non-Residential: \$3.15 Point-to-Point: \$4.76

SECTION 2: Your default rates for 2024 are as follows. Note: These are higher than the 2023 rates (above) due to the CPI inflation adjustment.

Residential: \$1.46 Non-Residential: \$3.23 Point-to-Point: \$4.87

To decline your default increase in rates, notify the PUC by completing the section below. You can mail or fax this page to the PUC. To accept rates in SECTION 2, no action is required.

I _____, Title _____, am an authorized representative for the City/Town/Village of _____. The City declines to accept the default rates indicated in SECTION 2 above. Instead, we choose the following rates:
Residential _____; Non-Residential _____; Point-to-Point _____.

Date: _____ Signature: _____

Other Comments:

HOW TO RESPOND

Mail: Stephen Mendoza
Public Utility Commission
P.O. Box 13326
Austin, Texas 78711-3326

INQUIRIES

Inquiries only. NOT for sending your response.
HB1777@puc.texas.gov
Phone No: 512-936-7394

Or FAX to Stephen Mendoza at: 512-936-7428;
EMAIL to stephen.mendoza@puc.texas.gov

CITY CONTACT INFORMATION

Please notify us if the contact information we have on file for your city has changed. Thank you.

Phone No. 1: (281) 489-0630

Phone No. 2: _____

Fax No: (281) 489-0634

Email: _____

Address

SANDY HAFERKAMP RESOURCE MANAGER
or current city official responsible for right-of-way issues
CITY OF MANVEL
P O BOX 187
MANVEL, TX 77578