

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

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3200 SOUTHWEST FREEWAY
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Angela Lutz
Partner

February 15, 2016



VIA CERTIFIED MAIL

The Honorable Robert Hebert
Fort Bend County Judge's Office
401 Jackson Street
Richmond, TX 77469

Commissioner Andy Meyers
Fort Bend County Precinct 3
22333 Grand Corner Drive, Ste. 105
Katy, Texas 77494

Commissioner Richard Morrison
Fort Bend County Precinct 1
301 Jackson Street
Richmond, Texas 77469

Commissioner James Patterson
Fort Bend County Precinct 4
12919 Dairy Ashford, Ste. 300
Sugar Land, Texas 77479

Commissioner Grady Prestage
Fort Bend County Precinct 2
303 Texas Parkway, Suite 213
Missouri City, Texas 77459

Re: Proposed Creation of Fort Bend County Levee Improvement District
No. 21 (the "District")

Dear Honorable Judge and Commissioners:

Enclosed you will find the following documents:

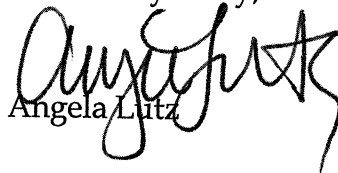
1. Letter requesting agenda items for March 1, 2016, and March 22, 2016;
2. Petition for the Creation, Organization and Establishment Fort Bend County Levee Improvement District No. 21;
3. \$50.00 check for Petition filing fee;
4. Engineering Report for the District (including metes and bounds description);

5. City of Fulshear Resolution No. 2015-293 Granting Consent to Creation;
6. Draft Certificate and Order Setting a Hearing on a Petition to Create a Levee Improvement District;
7. Draft Notice of Hearing on Creation of District (5 copies for execution, 4 originals to be returned to my attention);
8. Draft Notice to Texas Commission on Environmental Quality Regarding Hearing on Creation of District;
9. Affidavit of Forwarding Notice of Hearing to the Texas Commission on Environmental Quality; and
10. Draft Certificate and Order Establishing District.

The District is designed to serve approximately 5,583.61 acres in Fort Bend County. The District lies within the extraterritorial jurisdiction of the City of Fulshear.

We have discussed this matter with Commissioner Meyers' office and requested that this matter be considered at the March 1, 2016, Commissioners Court meeting. If you have any questions in the interim, please do not hesitate to contact me at (713) 860-6470, or Kevin J. Gilligan, the engineer, at Brown & Gay Engineers, Inc. at (281) 558-8700. With kindest regards I remain,

Yours Very Truly,


Angela Lutz

Enclosures

cc via certified mail and email:

Mr. Roy Cordes (w/attachments)
County Attorney
401 Jackson Street
Richmond, Texas 77469

Ms. Laura Richard (w/attachments)
County Clerk
301 Jackson Street, Suite 105
Richmond, Texas 77469-3108

Mr. Robert Lynch (w/attachments)

Mr. Robert Fondren (w/attachments)

Mr. Kevin J. Gilligan (w/attachments)

District Files

11/23/2015	Fort Bend County District Clerk
Invoice Date	Invoice No.
11/23/2015	11.23.2015
	Description
	Filing Fee

Check No. 34804
Matter ID
Amount
50.00

34804

ALLEN BOONE HUMPHRIES ROBINSON LLP

3200 SOUTHWEST FREEWAY, SUITE 2600
HOUSTON, TX 77027
(713) 880-6400

AMEGY BANK N.A.
HOUSTON, TEXAS 77227-7459
35-1125-1130

DATE	AMOUNT
11/23/2015	

PAY

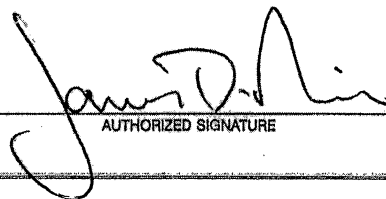
Fifty & No/100 Dollars

50.00

TO THE
ORDER
OF

Fort Bend County District Clerk

Filing Fee



AUTHORIZED SIGNATURE

Security features. Details on back.



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Angela Lutz
Partner

February 19, 2016

Commissioner Andy Meyers
Fort Bend County Commissioner, Precinct 3
22333 Grand Corner Drive, Ste. 105
Katy, Texas 77494

Ms. Laura Richard
Fort Bend County Clerk
301 Jackson, Suite 105
Richmond, Texas 77469

Re: Proposed Creation of Fort Bend County Levee Improvement District No.
21 (the "District")

Dear Commissioner Meyers and Ms. Richard:

I am respectfully requesting the addition of the appropriate agenda items for the creation of the proposed District on the March 1, 2016, and March 22, 2016 Commissioners Court agendas.

If you have any questions, please call me at (713) 860-6436. Thank you.

Sincerely,


Angela Lutz

cc: Mr. Roy Cordes, Jr., County Attorney

PETITION FOR CREATION, ORGANIZATION AND ESTABLISHMENT OF
FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 21

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS OF FORT BEND
COUNTY, TEXAS:

The undersigned, the owners of the land hereinafter described (herein the "Petitioners"), acting pursuant to the provisions of Chapter 57, Texas Water Code, as amended, and in keeping with the provisions of Article XVI, Section 59, of the Constitution of Texas, respectfully petitions for the creation, organization and establishment of a levee improvement district and would show the following:

I.

The name of the proposed levee improvement district is FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 21 (the "District").

II.

The District's boundaries will contain an area of 5,583.61 acres of land, more or less, situated wholly within Fort Bend County, Texas, described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Land"). All of the Land proposed to be included may properly be included in the District.

III.

The Petitioners hold fee simple title to a majority of the acreage comprising the Land. The Petitioners represent that there are no lienholders on the Land.

IV.

The District shall be organized for the following purposes:

1. to construct and maintain levees and other improvements on, along, and contiguous to rivers, creeks, and streams;
2. to reclaim lands from overflow from these streams;

3. to control and distribute the waters of rivers and streams by straightening and otherwise improving them;
4. to provide for the proper drainage and other improvement of the reclaimed land; and
5. to purchase or acquire all necessary land, right-of-way easements, sites, equipment, buildings, structures and facilities therefore, for the purpose of purchasing, constructing and maintaining park and recreational facilities, and to maintain same within the boundaries of the District;

all as contemplated by Chapters 49 and 57, Texas Water Code, as amended, and Article XVI, Section 59, of the Constitution of Texas. The District shall operate pursuant to Chapters 49 and 57, Texas Water Code, as amended.

V.

The general nature of the work proposed to be done at this time by the District is the building, acquisition, construction, completion, carrying out, maintaining, protection, and, in case of necessity, the addition to and rebuilding of all works and improvements necessary or proper to fully accomplish a reclamation plan for draining the Land, constructing and maintaining levees on the Land, and reclaiming the Land from overflow or damage by waters from streams inside or adjacent to the District and, where necessary, the straightening of streams, which may injure the Land inside or adjacent to the District.

VI.

There is a necessity for the organization of the District and the proposed improvements for the reason that the territory to be included in the District is being or will be developed for residential and/or commercial, and the health and welfare of the present and future residents of the District and the protection of lands, property, residences, and commercial establishments within the District requires the construction of such proposed improvements.

VII.

The proposed improvements are feasible in that the necessary levees, bridges, drains, and other reclamation improvements can be acquired or constructed at reasonable costs, and taxes at reasonable rates can be levied within the District which will be sufficient to amortize all debt incurred by the District for the purpose of acquiring or constructing the needed improvements and to provide for the payment of all costs of proper maintenance, upkeep, and repair, and additions to the levees and other improvements in the District, and other costs or improvements authorized by

Chapters 49 and 57, Texas Water Code, as amended.

VIII.

The Petitioners propose that taxes to be levied by the District be levied on an ad valorem basis.

IX.

The sum of Fifty Dollars (\$50.00) has been deposited with the County Clerk of Fort Bend County to cover expenses incident to the hearing on this petition.

WHEREFORE, Petitioners pray (1) this petition be properly filed as provided by law; (2) that upon filing of this petition, the Honorable Commissioners Court of Fort Bend County, Texas, if it be in session, and if not, then the Honorable County Judge of Fort Bend County, Texas, order that a hearing be set on this petition before said Commissioners Court or County Judge during the period beginning with the fifteenth (15th) day and ending with the thirtieth (30th) day after the date of such order; (3) that the County Clerk be ordered to issue notice informing all persons concerned of the time and place of such hearing and of their right to appear at the hearing and contend for or contest the creation of the District; (4) that such notice be given and posted as required by law by posting notice of such hearing at the courthouse door and at four different places inside the proposed District for at least ten days before the date of the hearing; (5) that the County Clerk be ordered to mail notice of the hearing to the Texas Commission on Environmental Quality, Austin, Texas, stating that this petition has been filed and including a statement of its general purpose and the time and place of the hearing; (6) that said hearing be held and conducted as required by law and, if upon such hearing it be found that this petition sets forth and conforms to the requirements of law and is signed by the owners of a majority of the acreage in the proposed District, that notice of the hearing was given, that the proposed improvements are desirable, feasible, and practicable and would be a public utility and benefit and conducive to public health, and that the District should be created, that the Commissioners Court so find and render its judgment reciting such findings and creating and establishing the District; (7) that the Commissioners Court appoint Chuck Hewell, James Michael Flory, and Larry Nemec to serve as directors of the District in the manner provide by law; and (8) for such other proceedings and orders are proper and necessary and appropriate to the creation and organization of said District and to the execution of the purposes for which said District shall be created and organized.

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED this 3 day of June, 2015.

PETITIONERS:

FOSTER FARMS, INC.

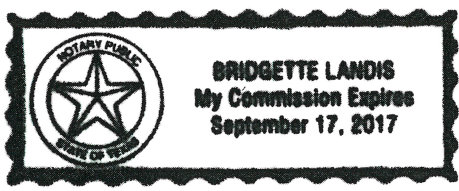
By: [Signature]
Name: Robert Lynch
Title: President

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 3rd day of June, 2015, by Robert Lynch, President of Foster Farms, Inc., a Texas corporation, on behalf of said corporation.

[Signature]
Notary Public, State of Texas

(NOTARY SEAL)



RESPECTFULLY SUBMITTED this 28 day of July, 2015.

FASH FAMILY PARTNERSHIP '92

By: [Signature]
Name: Robert E. Fondren

By: [Signature]
Name: Michael W. Springer

By: [Signature]
Name: Ellanor A. Beard

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

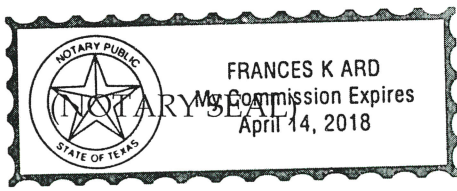
This instrument was acknowledged before me on the 21st day of July, 2015, by Robert E. Fondren, of the Fash Family Partnership '92, on behalf of said partnership.



[Signature]
Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 28 day of July, 2015, by Michael W. Springer, of the Fash Family Partnership '92, on behalf of said partnership.



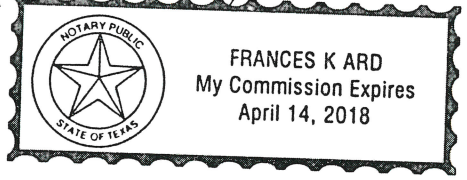
[Signature]
Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 24 day of July, 2015, by Ellanor A. Beard, of the Fash Family Partnership '92, on behalf of said partnership.

Frances K. Ard
Notary Public, State of Texas

(NOTARY SEAL)



RESPECTFULLY SUBMITTED this 4 day of Aug., 2015.

DAVID M. UNDERWOOD

By: Lynda K. Underwood
Name: David M. Underwood, by Lynda K. Underwood as attorney-in-fact and agent for and on behalf of David M. Underwood

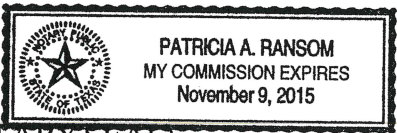
I, Lynda K. Underwood, represent and warrant that certain Statutory Durable Power of Attorney executed by David M. Underwood and dated and effective July 2, 2002, remains in full force and effect as of this 4, day of AUGUST, 2015, and has not been revoked in any manner whatsoever.

By: Lynda K. Underwood
Name: Lynda K. Underwood

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 4 day of August, 2015, by Lynda K. Underwood as attorney-in-fact and agent for and on behalf of David M. Underwood and on his own behalf.

Patricia A. Ransom
Notary Public, State of Texas



(NOTARY SEAL)

Exhibit A

Metes and Bounds Description of the Land

EXHIBIT A

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES

FEBRUARY 25, 2014
JOB NO. 2207-00
PAGE 1 OF 10

DESCRIPTION OF A 5,583.61 ACRE TRACT OF LAND SITUATED
IN THE JOHN FOSTER 2-1/2 LEAGUE GRANT, ABSTRACT NO. 26
AND THE RANDON & PENNINGTON LEAGUE, ABSTRACT NO. 75
FORT BEND COUNTY, TEXAS

BEING a 5,583.61 acre tract of land situated in the John Foster 2-1/2 League Grant, Abstract No. 26 and the Randon & Pennington League, Abstract No. 75 of Fort Bend County, Texas and being part of a called 3,063.45 acre tract of land described as First Tract and of a called 1,410.69 acre tract of land described as Second Tract in a conveyance to Foster Farms, Inc. recorded in Volume 362, Page 549 of the Fort Bend County Deed Records (F.B.C.D.R.) also being all of a called 1,081.9 acre tract of land described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 9231591, said 5,583.61 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the most northerly Northwest corner of said 3,063.45 acre tract and the Northeast corner of a called 339.63 acre tract described and recorded in Volume 349, Page 524 of the F.B.C.D.R. also the Southwest corner of a called 314 acre tract described and recorded in Volume 465, Page 585 of the F.B.C.D.R.;

THENCE, S 89° 43' 00" E, a distance of 1,834.00 feet to the most northerly northeast corner of said 3063.45 acre tract and being in the western right-of-way line of Winner-Foster Road (Width Varies);

THENCE, along the western and northern right-of-way lines of said Winner-Foster Road the following courses and distances:

S 00° 12' 10" W, a distance of 1,613.96 feet to a point for corner;

S 00° 23' 10" W, a distance of 2,431.50 feet to a point for corner;

S 12° 46' 40" W, a distance of 62.54 feet to a point for corner;

S 02° 56' 10" W, a distance of 213.03 feet to a point for corner;

S 00° 09' 30" E, a distance of 2,657.90 feet to a point for corner;

S 00° 06' 10" W, a distance of 1,724.00 feet to a point for corner;

THENCE, S 27° 37' 18" E, a distance of 56.51 feet to a point for corner in the west line of a called 34.2634 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

THENCE, along the West and South lines of said 34.2634 acre tract the following courses and distances:

S 00° 55' 00" W, a distance of 1,406.40 feet to a point for corner;

N 89° 23' 37" E, a distance of 1,270.51 feet to a point for corner;

THENCE, S 17° 30' 13" E, a distance of 40.58 feet to a point for corner and being in the western line of a called 34.2634 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES
PAGE 2

THENCE, along the western and southern lines of said 34.2634 acre tract the following courses and distances:

- S 65° 29' 00" W, a distance of 117.65 feet to a point for corner;
- S 42° 36' 00" W, a distance of 195.00 feet to a point for corner;
- S 18° 58' 00" W, a distance of 200.00 feet to a point for corner;
- S 00° 28' 00" W, a distance of 176.00 feet to a point for corner;
- S 19° 47' 00" E, a distance of 400.00 feet to a point for corner;
- S 36° 17' 00" E, a distance of 500.00 feet to a point for corner;
- S 38° 17' 00" E, a distance of 275.00 feet to a point for corner;
- S 53° 47' 00" E, a distance of 117.00 feet to a point for corner;
- S 37° 17' 00" E, a distance of 150.00 feet to a point for corner;
- S 57° 20' 00" E, a distance of 300.00 feet to a point for corner;
- S 38° 20' 00" E, a distance of 200.00 feet to a point for corner;
- S 50° 14' 00" E, a distance of 800.00 feet to a point for corner;
- S 61° 40' 00" E, a distance of 685.00 feet to a point for corner;
- S 72° 40' 00" E, a distance of 11.59 feet to a point for corner being in the West line of said 1,410.69 acre tract;

THENCE, N 00° 03' 10" E, a distance of 212.73 feet to a point for corner being in the centerline of Jones Creek;

THENCE, along the centerline of Jones Creek the following courses and distances:

- S 78° 51' 08" E, a distance of 391.70 feet to a point for corner;
- N 84° 10' 17" E, a distance of 331.68 feet to a point for corner;
- N 76° 23' 23" E, a distance of 204.37 feet to a point for corner;
- N 70° 21' 24" E, a distance of 176.10 feet to a point for corner;
- N 65° 02' 57" E, a distance of 120.94 feet to a point for corner;

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES
PAGE 3

N 73° 07' 51" E, a distance of 134.93 feet to a point for corner;
N 40° 10' 10" E, a distance of 140.10 feet to a point for corner;
N 29° 07' 50" E, a distance of 206.30 feet to a point for corner;
N 36° 42' 30" E, a distance of 179.60 feet to a point for corner;
N 46° 15' 10" E, a distance of 231.00 feet to a point for corner;
N 57° 46' 30" E, a distance of 210.50 feet to a point for corner;
N 60° 28' 30" E, a distance of 234.75 feet to a point for corner;
N 63° 30' 20" E, a distance of 209.90 feet to a point for corner;
N 75° 53' 50" E, a distance of 245.40 feet to a point for corner;
N 84° 23' 30" E, a distance of 314.25 feet to a point for corner;
S 87° 35' 30" E, a distance of 228.80 feet to a point for corner;
S 78° 18' 00" E, a distance of 302.14 feet to a point for corner;
S 71° 40' 10" E, a distance of 173.50 feet to a point for corner;
S 79° 09' 30" E, a distance of 326.40 feet to a point for corner;
N 79° 30' 30" E, a distance of 151.50 feet to a point for corner;
N 50° 57' 20" E, a distance of 209.40 feet to a point for corner;
N 29° 11' 50" E, a distance of 147.40 feet to a point for corner;
N 02° 35' 50" E, a distance of 202.20 feet to a point for corner;
N 07° 38' 30" W, a distance of 560.65 feet to a point for corner;
N 06° 01' 40" W, a distance of 671.97 feet to the most northerly northwest corner of the herein described tract;

THENCE, S 78° 30' 50" E, a distance of 117.07 feet to the Southwest corner of a called 0.72 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R.;

THENCE, N 11° 29' 10" E, a distance of 23.31 feet to Northwest corner of said 0.72 acre tract and being in the southern right-of-way line of F. M. 359 (100-foot wide);

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES
PAGE 4

THENCE, along the southern right-of-way lines of said F. M. 359 the following courses and distances:

S 69° 55' 20" E, a distance of 1,402.20 feet to the point of curvature of a curve to the right;

In an Southeasterly direction along said curve to the right, a distance of 92.41 feet, having a radius of 3,770.00 feet, a central angle of 01° 24' 16" and a chord which bears S 69° 13' 12" E, 92.41 feet to the most easterly Northeast corner of the herein described tract and being the Northwest corner of a called 26.00 acre tract described and recorded under F.B.C.C.F. No. 9725243;

THENCE, S 00° 39' 06" E, a distance of 4,527.65 feet along the line common to said 26.00 acre tract and said 1,410.69 acre tract to a point being in the southern right-of-way line of Beadle Drive (80-foot wide)

THENCE, S 00° 40' 10" E, a distance of 222.50 feet to a point for corner;

THENCE, S 88° 36' 40" E, a distance of 331.42 feet to a point for corner being in the West line of a called 174.27 acre tract described and recorded in Volume 495, Page 841 of the F.B.C.D.R.;

THENCE, along the East lines of said 1,410.69 acre tract and the West lines of said 174.27 acre tract and a called 6.5331 acre tract described and recorded under F.B.C.C.F. No. 9818471 and a called 3.6430 acre tract described and recorded under F.B.C.C.F. No.9812369 also a called 194.2072 acre tract described and recorded under F.B.C.C.F. No. 2001015964 the following courses and distances:

S 00° 06' 00" E, a distance of 8,803.69 feet to a point for corner;

S 03° 02' 20" W, a distance of 1,460.00 feet to the Southeast corner of the herein described tract and the Northwest corner of a called 132 acres described and recorded under F.B.C.C.F. No. 9465434;

THENCE, along the southern lines of said 1,410.69 acre tract and the northern lines of Evans Road (40-foot wide) the following courses and distances:

S 70° 59' 40" W, a distance of 193.60 feet to a point for corner;

S 83° 22' 20" W, a distance of 94.60 feet to a point for corner;

N 78° 41' 00" W, a distance of 123.30 feet to a point for corner;

N 70° 30' 40" W, a distance of 196.30 feet to a point for corner;

N 60° 46' 40" W, a distance of 154.40 feet to a point for corner;

N 54° 14' 30" W, a distance of 2,586.55 feet to a point for corner;

N 60° 10' 20" W, a distance of 167.80 feet to a point for corner;

N 64° 29' 30" W, a distance of 1,714.80 feet to a point for corner;

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES
PAGE 5

THENCE, S 16° 49' 30" W, a distance of 40.16 feet over said Evans Road to the Northeast corner of a called 16.3 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R. also the Northwest corner of a called 30 acre tract described and recorded under F.B.C.C.F. No. 2002110527;

THENCE, S 00° 20' 00" W, a distance of 1,525.20 feet along the line common to said 16.3 acre tract and said 30 acre tract to a point for corner on the northern high bank of the Brazos River;

THENCE along the northern high bank of the Brazos River the following twenty-four (24) courses and distances:

- N 59° 41' 40" W, a distance of 152.20 feet to an angle point;
- N 44° 27' 50" W, a distance of 258.50 feet to an angle point;
- N 45° 43' 20" W, a distance of 328.10 feet to an angle point;
- N 21° 50' 30" W, a distance of 292.20 feet to an angle point;
- N 19° 53' 20" W, a distance of 461.00 feet to an angle point;
- N 33° 23' 30" W, a distance of 889.20 feet to an angle point;
- N 23° 21' 00" W, a distance of 381.20 feet to an angle point;
- N 33° 07' 30" W, a distance of 705.90 feet to an angle point;
- N 59° 50' 40" W, a distance of 535.00 feet to an angle point;
- N 75° 30' 40" W, a distance of 643.50 feet to an angle point;
- S 87° 13' 00" W, a distance of 259.31 feet to an angle point;
- S 68° 53' 20" W, a distance of 397.00 feet to an angle point;
- S 51° 47' 20" W, a distance of 756.00 feet to an angle point;
- S 47° 20' 20" W, a distance of 470.70 feet to an angle point;
- S 44° 25' 20" W, a distance of 240.25 feet to an angle point;
- S 13° 24' 20" W, a distance of 130.20 feet to an angle point;
- S 31° 44' 00" W, a distance of 429.30 feet to an angle point;
- S 22° 44' 00" W, a distance of 149.10 feet to an angle point;

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES
PAGE 6

S 29° 42' 00" W, a distance of 104.75 feet to an angle point;

S 31° 45' 20" W, a distance of 163.70 feet to an angle point;

S 27° 51' 40" W, a distance of 210.40 feet to an angle point;

S 34° 59' 10" W, a distance of 374.80 feet to an angle point;

S 27° 43' 40" W, a distance of 463.00 feet to an angle point;

N 59° 47' 10" W, a distance of 39.22 feet to a point for corner being in the East line of a called 218.562 acre tract described and recorded under F.B.C.C.F. No. 9677436;

THENCE, N 00° 28' 00" W, a distance of 5,120.00 feet along the East line of said 218.562 acre tract and the East line of a called 101.314 acre tract described and recorded under F.B.C.C.F. No. 9677438 to a point for corner;

THENCE, N 89° 52' 00" W, a distance of 1,756.82 feet along the North line of said 101.314 acre tract to an angle point;

THENCE, S 89° 59' 20" W, a distance of 1,582.72 feet to a point for corner being in the East right-of-way line of Stratmore Road (Width Varies);

THENCE, N 00° 05' 10" W, a distance of 1,682.65 feet along said East right-of-way line to a point for corner;

THENCE, N 89° 59' 10" W, a distance of 3,011.45 feet to a point for corner on the high bank of the Brazos River;

THENCE, N 31° 19' 40" W, a distance of 440.85 feet to a point for corner being in the West line of said 3,063.45 acre tract and the East line of said 1,081.9 acre tract also being the western line of said John Foster 2-1/2 League Grant and the eastern line of said Randon & Pennington League;

THENCE along the northern high bank of the Brazos River the following sixteen (16) courses and distances:

N 61° 15' 51" W, a distance of 413.67 feet to an angle point;

N 63° 38' 25" W, a distance of 127.39 feet to an angle point;

N 69° 57' 21" W, a distance of 231.42 feet to an angle point;

N 84° 02' 56" W, a distance of 177.77 feet to an angle point;

S 81° 49' 31" W, a distance of 243.96 feet to an angle point;

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S 76° 50' 40" W, a distance of 262.11 feet to an angle point;
S 83° 30' 54" W, a distance of 117.69 feet to an angle point;
S 63° 26' 12" W, a distance of 532.25 feet to an angle point;
S 54° 50' 09" W, a distance of 356.23 feet to an angle point;
S 44° 22' 37" W, a distance of 544.99 feet to an angle point;
S 28° 38' 41" W, a distance of 555.68 feet to an angle point;
S 20° 42' 53" W, a distance of 316.44 feet to an angle point;
S 14° 05' 57" W, a distance of 773.72 feet to an angle point;
S 06° 56' 47" E, a distance of 674.56 feet to an angle point;
S 00° 51' 45" E, a distance of 899.67 feet to an angle point;

SOUTH, a distance of 583.32 feet to a point for corner;

THENCE, WEST, a distance of 830.56 feet to the Southwest corner of the herein described tract and the Southwest corner of said 1,081.9 acre tract being a interior ell corner of a called 251.075 acre tract described and recorded in Volume 671, Page 876 of the F.B.C.D.R.;

THENCE, NORTH, a distance of 14,347.22 feet along the East lines of said 251.075 acre tract and a called 391.47 acre tract described and recorded in Volume 569, Page 765 of the F.B.C.D.R. also a called 514.321 acre tract described and recorded in Volume 801, Page 410 of the F.B.C.D.R. and a called 110.8 acre tract described and recorded in Volume 343, Page 276 of the F.B.C.D.R. to the Northwest corner of the herein described tract and the Northwest corner of said 1,081.9 acre tract and the Southwest corner of a called 367.199 acre tract described and recorded in Volume 422, Page 474 of the F.B.C.D.R., said point being in the centerline of Jones Creek;

THENCE, along the North lines of said 1,081.9 acre tract and the South lines of said 367.199 acre tract and with the centerline meanders of said Jones Creek the following seventeen (17) courses and distances:

S 35° 54' 45" E, a distance of 404.28 feet to an angle point;
S 53° 07' 30" E, a distance of 178.46 feet to an angle point;
S 71° 31' 00" E, a distance of 300.73 feet to an angle point;
S 78° 57' 15" E, a distance of 300.54 feet to an angle point;
S 73° 50' 05" E, a distance of 206.79 feet to an angle point;

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S 87° 53' 05" E, a distance of 183.89 feet to an angle point;
N 85° 48' 00" E, a distance of 311.23 feet to an angle point;
N 82° 02' 35" E, a distance of 191.06 feet to an angle point;
N 87° 46' 05" E, a distance of 300.24 feet to an angle point;
N 84° 02' 40" E, a distance of 200.07 feet to an angle point;
N 87° 05' 55" E, a distance of 211.83 feet to an angle point;
N 87° 13' 25" E, a distance of 315.20 feet to an angle point;
S 75° 09' 25" E, a distance of 348.37 feet to an angle point;
S 52° 33' 35" E, a distance of 301.30 feet to an angle point;
S 37° 42' 30" E, a distance of 172.73 feet to an angle point;
S 61° 05' 10" E, a distance of 146.38 feet to an angle point;
S 73° 10' 00" E, a distance of 269.73 feet to the Northeast corner of said 1,081.9 acre tract and the most westerly Northwest corner of said 3,063.45 acre tract;

THENCE, continuing along the meanders of said Jones Creek and with the Northwestern lines of said 3,063.45 acre tract also being the Southwestern lines of a called 208.59 acre tract described and recorded in Volume 2227, Page 2203 of the F.B.C.D.R. and a called 339.63 acre tract described and recorded in Volume 349, Page 524 of the F.B.C.D.R. the following sixteen (16) courses and distances:

S 68° 04' 50" E, a distance of 2,041.63 feet to an angle point;
S 76° 02' 10" E, a distance of 999.67 feet to an angle point;
S 79° 34' 20" E, a distance of 320.08 feet to an angle point;
N 73° 55' 30" E, a distance of 196.72 feet to an angle point;
N 52° 35' 50" E, a distance of 658.02 feet to an angle point;
N 48° 44' 00" E, a distance of 247.46 feet to an angle point;
SOUTH, a distance of 54.85 feet to an angle point;
N 48° 44' 00" E, a distance of 37.99 feet to an angle point;

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N 72° 44' 20" E, a distance of 277.48 feet to an angle point;

N 63° 43' 20" E, a distance of 114.44 feet to an angle point;

N 54° 03' 20" E, a distance of 145.76 feet to an angle point;

N 43° 36' 20" E, a distance of 706.04 feet to an angle point;

N 42° 01' 20" E, a distance of 285.46 feet to an angle point;

N 34° 49' 20" E, a distance of 345.87 feet to an angle point;

N 30° 43' 15" E, a distance of 402.71 feet to an angle point;

N 00° 06' 00" W, a distance of 80.27 feet to the most southern corner of a called 27.66 acre tract described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2005020109;

THENCE, along the East and North lines of said 27.66 acre tract the following seventeen (17) courses and distances:

N 28° 53' 21" E, a distance of 59.08 feet to an angle point;

N 23° 57' 27" E, a distance of 299.97 feet to an angle point;

N 16° 15' 51" E, a distance of 331.81 feet to an angle point;

N 19° 01' 38" E, a distance of 580.70 feet to an angle point;

N 44° 58' 18" E, a distance of 189.22 feet to an angle point;

N 66° 56' 01" E, a distance of 188.69 feet to an angle point;

N 77° 44' 37" E, a distance of 323.41 feet to an angle point;

N 81° 28' 55" E, a distance of 55.99 feet to an angle point;

N 12° 18' 48" W, a distance of 107.20 feet to an angle point;

N 07° 07' 38" E, a distance of 117.89 feet to an angle point;

N 15° 08' 03" W, a distance of 58.15 feet to an angle point;

N 25° 50' 24" W, a distance of 58.30 feet to an angle point;

N 34° 49' 05" W, a distance of 274.94 feet to an angle point;

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N 38° 03' 02" W, a distance of 118.88 feet to an angle point;

N 16° 17' 08" W, a distance of 54.86 feet to an angle point;

N 03° 12' 23" E, a distance of 7.00 feet to an angle point;

N 86° 00' 03" W, a distance of 239.04 feet to an angle point;

N 84° 46' 54" W, a distance of 585.18 feet to the Northwest corner of said 27.66 acre tract and being in the East line of said 339.63 acre tract;

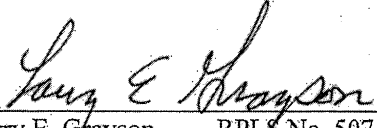
THENCE, N 00° 06' 00" W, a distance of 4,823.96 feet along the line common to said 339.63 acre tract and said 3,063.45 acre tract to the **POINT OF BEGINNING** and containing 5,583.61 acres of land.

Bearing orientation is based on the west line of the called 3,063.45 acre tract described as First Tract in the deed recorded in Volume 362, Page 549 of the Fort Bend County Deed Records and called to be South.

This metes and bounds description was prepared under 22 Texas Annotated Code 663.21 and reflects the assembly of instruments of record to describe the political boundary limits shown hereon and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Dated this the 25th day of February, 2014.




Larry E. Grayson RPLS No. 5071
Brown & Gay Engineers, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500

PRELIMINARY ENGINEERING REPORT

**CREATION OF FORT BEND COUNTY
LEVEE IMPROVEMENT DISTRICT NO. 21**

Fort Bend County, Texas

**March 2015
BGE Job No. 2207-00**



Kevin J. Gilligan
3/3/2015

PRELIMINARY ENGINEERING REPORT
ON THE CREATION OF
FORT BEND COUNTY
LEVEE IMPROVEMENT DISTRICT NO. 21

Brown & Gay Engineers, Inc.
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Houston, Texas 77042
281-558-8700

March 2015

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I. INTRODUCTION

This report contains the results of a preliminary engineering study to determine the engineering and economic feasibility of creating proposed Fort Bend County Levee Improvement District (LID) No. 21 ("the District"). The purpose of this study was to develop the economic and engineering data necessary to evaluate the feasibility of creating the District.

The District, proposed as 5,631.58 acres, will encompass two tracks of land owned by two separate entities. Track one is 956 acres and is owned by River Ranch Properties. Track two is 4,675.58 acres and is owned by Foster Farms Inc. Track two consists of Fort Bend County Municipal Utility District No. (MUD) 208; 209, 210, 211 and 212. There have been no MUDs created on tract one. Within the District, 3,431.59 acres are identified in FEMA Zone AE and 147.71 acres are identified in FEMA Zone A located within the 100-year flood plain. There is also 1,057.00 acres located in FEMA Zone X outside of the 100-year flood plain. At this point, the District will need to recover 2,262.59 acres from the 100-year flood plain in order to allow for development.

The scope of the engineering report for the District includes the following:

1. District boundary map;
2. Preliminary investigations to analyze overall drainage patterns, and flood hazards;
3. Review of the proposed land use within the District for consistency with environmental and economic requirements;
4. Preliminary layout of facilities and infrastructures;
5. Preliminary cost estimates based on the preliminary design of facilities;
6. Evaluation of the economic feasibility of the District using projected bond issue requirements, projected assessed values, and calculated tax rates; and
7. Recommendations on creation of the District.

II. GENERAL CONSIDERATIONS

A. Location and Description

The proposed District is located in southeast Fort Bend County approximately 30 miles southwest of the City of Houston Central Business District. The District is located southwest of FM 359, west of FM 723, and north of the Brazos River. The District is completely within the Fulshear extraterritorial jurisdiction (ETJ) on Key Map 563 and 564, as shown on **Exhibit 1**.

The total area of the District is 5,631.58 acres within the John Foster 2-1/2 League Grant, Abstract No. 26 and Randon & Pennington League Abstract No. 75. The District boundary map is enclosed as **Exhibit 2**. Legal descriptions and boundary closures are included as **Exhibits 3 and 4**, respectively.

B. Access

The District is currently accessible on the north side by the way of Winner Foster Road and FM 359 and to the west side by way of Montgomery Road. The District will be enhanced in the future by the proposed construction of Fulshear Parkway. Fulshear Parkway is proposed to connect the District with the Westpark Tollway to the north and then run easterly across the District connecting it to FM 723. Access within the District will be provided with collector boulevards with 100 feet of right-of-way (ROW) and other internal paving improvements.

The District is bounded by Montgomery Road to the west and FM 723 to the east. Currently, Beadle Lane, which is paved asphalt, runs east and west through the District. The current Beadle Lane right-of-way will be reconstructed as the Fulshear Parkway. Currently, Stratman Road runs north and south through the district connecting Beadle Lane to Winner Foster Road to the north.

C. Topography

From United States Geological Survey (USGS) topography, existing natural ground elevations range from approximately 97 feet above mean sea level (msl) at Winner Foster Road to approximately 90 feet towards the Brazos River. The area naturally drains south towards the Brazos River via existing creeks within the District. An aerial topography map is available as **Exhibit 8**. The elevation contours were interpolated from United States Geological Survey (USGS) data.

D. Flood Plain

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 48157C0095L, 48157C0115L, 48157C0225L and 48157C0230L revised April 2, 2014, the District is identified within 100-year flood plain Zone A, AE, unshaded Zone X (500 year floodplain) and adjacent to the floodway of the Brazos River, as shown on **Exhibit 5**.

Within the District, 3,431.59 acres are located within the 100-year flood plain Zone AE, 147.71 acres are within the 100-year flood plain Zone A and 1,057.00 acres are located within Zone X outside of the 100-year flood plain. The District also contains 995.28 acres within the Brazos River Floodway that will not be developed. The District is located between the base flood elevations (BFE) of 94.0 and 99.0 feet of the Brazos River, as indicated on the flood profile for **Exhibit 6**. Elevations are based on the National American Vertical Datum 1988 (NAVD 88, 2001 Adjustment).

E. Existing Development

Land and roadways within the District are mostly unimproved. The District currently consists of land segments primarily for agricultural use; improved and native pastureland; and miscellaneous rural acreage. The land is vegetated with various grasses and shrub growth.

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F. Other Utilities

Private utilities in the local area will serve the District's requirements for electric power, natural gas, telecommunications, and cable services. The service providers will be determined upon further development of the District.

III. PROPOSED DEVELOPMENT

A. Plan of Improvements

The preliminary development plan for the District will be mainly single-family residential units. The District includes property owned by two separate entities. The first entity, River Ranch Properties, has approximately 207 acres that lie within the FEMA flood plain. The second entity, Foster Farms Inc, has approximately 2,055 acres that lie within the FEMA flood plain.

Flood protection must be provided for the area in the flood plain to allow for development in order to safeguard lives and properties within the District. Since the flood plain area is too vast to fill above the base flood elevation (BFE), an alternate and more feasible plan for reclaiming the land from flooding caused by the Brazos River is to construct a levee. The levee could be built to serve either just the 2,262.00 acres shown in the flood plain; or include approximately 649.68 acres to the north that is outside of the flood plain in FEMA Zone X. FBCMUD 208 and 47.97 acres of FBCMUD 212 would not need to be included within the levee because the tract can be raised above the BFE using fill.

Although the levee can be built to exclude the areas outside of the flood plain, the area shown in Zone X can benefit by being included within the levee system. A major advantage is that the levee will provide additional flood protection since it will be built with freeboard above the BFE. The flood area would extend farther if the Brazos River reached flood levels higher than the stated BFE. There are also portions of the northern tract which would flood due to overflow from Jones Creek in an extreme event. Moreover, there is no guarantee that this area identified outside of the flood plain will not flood because of the limited accuracy of the flood study and mapping. The current flood map used survey data from USGS, which was limited to five (5)-foot contours suggesting that actual flood boundaries could vary significantly.

A second advantage is that the area outside of the flood plain can utilize the same drainage and detention systems that will be internal to the levee system; otherwise a

separate drainage system will need to be developed for areas outside of the levee. Developing a separate drainage system can result in higher cost per acre and less efficient land use. For instance, FBCMUD 208 and the northern portion of MUD 212 would need to route its drainage around the levee since it would be closed to off-site drainage.

Regardless of whether the levee includes or excludes areas outside of the flood plain, the length of the levee remains approximately the same in this instance since the entire flood plain area must be encompassed to provide adequate flood protection. Therefore, the levee system is proposed to surround the entire area of the District south of Winner Foster Road to the southern floodway boundary and west from FM 723 to Montgomery Road. The levee will include acreage for River Ranch Properties, FBCMUD 209, 210, 211 and a portion of FBCMUD 212 for a total developable area within the levee of approximately 2,911.68 acres. The District will also include a portion of FBCMUD 208 and a portion of FBCMUD 212, approximately 407.32 acres, which will be located outside of the levee but created concurrently with the levee.

For the proposed service area of 3,319.5 acres, a total of 8,170 equivalent single-family connections (ESFC) are expected based on three (3) units per acre. Assuming 3.5 persons per connection, the District will have a projected population of 28,595 persons.

B. Levee System

The components of a levee system include the levee, pump station or adequate storage capacity, internal drainage system, and a gravity outlet with an outfall channel to the River. The District will finance, construct, own, and maintain the levee, pump station, outlet and control structures. Other entities will be responsible for the construction and maintenance of internal drainage as required for development within the District. The proposed levee system will be designed in accordance to criteria established by FEMA, the Texas Commission on Environmental Quality (TCEQ), the Texas Administrative Code (TAC), and Fort Bend County Drainage District.

To provide adequate flood protection, the levee will need to continuously encompass the entire flood plain to the limits of the regulatory floodway with minimum elevation at three (3) feet above the base flood elevation (BFE) of the Brazos River. Since the levee is not adjacent to coastal areas as defined by FEMA, the stated minimum freeboard requirement will be sufficient without additional height for wave action.

Because the levee will have variable heights relative to the ground, the levee right-of-way (ROW) from toe to toe will vary in minimum widths with additional easements established for maintenance. The cross-section for the levee requires a minimum 10-foot top width, and 3:1 (horizontal to vertical) side slopes, and an absolute minimum 10-foot berm on either side although a 20-foot wide easement should be established to provide access to the levee ROW from a public road.

Geotechnical investigations will be required on the levee foundation with soil borings at a maximum of every 1,000 feet equal to twice the height of the levee embankment. The foundation will be stripped of vegetation for the entire width of the levee. The levee embankment will be placed in lifts of not more than 12 inches thick of material CH or CL as defined by the Unified Soil Classification System and compacted to a density of 95% by the standard proctor test. The levee ROW will be adequately covered by grass or suitable material.¹

C. Internal Drainage Facilities

To prevent flooding within the leveed areas, the District will provide pumping stations to discharge storm water when the Brazos River reaches a level that prevents gravity outflow. Runoff in excess of the internal storage capacity, which will be provided by others, will be pumped outside the levee in order to maintain the internal design water surface elevation. The pumps will be designed to discharge expected runoff over a 24-hour period based from an estimated 1.5 inches of runoff over the service area. The

¹ Drainage Criteria Manual. Fort Bend County Drainage District. Espey, Huston, & Associates: Revised 2011.

resulting pumping capacity will be approximately 85,000 gpm with the largest pump inoperative and shall be equipped with auxiliary power.

In addition, the District will provide controlled outlet structures to release gravity flow from the leveed area during low flow conditions of the Brazos River. The control structures will be equipped with flap gates, which will automatically close to prevent external flow from entering the leveed area during flooding events. These control structures will remain open until the internal drainage and detention facilities are completed by other entities to allow for drainage of the levee interior when the levee embankments will be built.

Construction and maintenance of other internal drainage and detention facilities will be the responsibility of the entities, which develop within the District. The internal drainage facilities may consist of on-site drainage channels and amenity lakes. The internal drainage and detention facilities will be analyzed and designed with the purpose to maintain internal maximum water surface elevation and to prevent stream impacts from development up to the 100-year (1%) storm events. These internal facilities will be designed to accommodate the conveyance of flows generated for ultimate development within the District and will be necessary before the interior area can be developed further.

Building the internal facilities with development is advantageous to the individual entities within the District because the facilities can be located and designed as appropriate for development needs. Additionally, costs for such facilities will not be imposed as taxes over the entire District but instead to the area specifically served.

D. Facilities for Off-Site Drainage

Existing off-site flows will need to be diverted on the outside of the levee. Hydrology for the off-site drainage will be analyzed for the appropriate channel design. Flows from the north in Jones Creek will be diverted in a channel between FM 723 and outside the levee into the Brazos River. Off-site flows east and west from the District will be

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diverted in a channel along the outside of the levee into the Brazos River. The maintenance berms will be shared between the channel and the levee ROW, where they are adjacent. All pipes and conduits needing to cross the levee will need to have anti-seep collars, flap gates, and slope protection. Existing streams south of the levee will need to be improved to convey off-site drainage to the Brazos River and diverted around property owners to the south of the District.

Miscellaneous drainage facilities will be constructed along the levee in order to maintain localized drainage patterns. These improvements will typically be swales near the levee toe to intercept sheet flow from the levee and adjacent properties. Final locations of these facilities will be incorporated as needed into the final design of the levee.

As a result, the District will finance, construct, own, maintain, and operate facilities for the levee, off-site diversion drainage, storm water pumping, and control structures. Other entities that develop within the District will be responsible for the remaining internal drainage. **Exhibit 7** shows the preliminary layout and typical section for levee and diversion drainage ROW requirements in the District.

IV. ENVIRONMENTAL CONSIDERATIONS

A. Land Elevations

Development within the District is not expected to have an unreasonable effect on overall land elevations. However, any paving or surface features, which may need to tie into existing facilities outside of the District, will need to be located where the levee and ground elevations are within close proximity. In particular, the proposed collector road by FBCMUD 209 will need to be designed with tie-in elevations at approximately three (3) feet above the base flood elevation (BFE).

As previously stated, the proposed levee with other improvements will not adversely affect off-site drainage and allow for drainage of the levee interior. Upon approval of the District and plan of reclamation, a Conditional Letter of Map Revision (CLOMR) will be submitted to the Federal Emergency Management Agency (FEMA) for approval of the proposed changes in the flood plain limits from the Flood Insurance Study (FIS). Upon the actual completion of the required improvements, a Letter of Map Revision (LOMR) will be submitted to FEMA to effectively revise the flood plain limits for the properties in the leveed area from the Flood Insurance Rate Maps (FIRM); thus removing the areas from the 100-year flood plain of the Brazos River.

B. Subsidence

The District is located in Region A of the Fort Bend Subsidence District (FBSD) and must comply with guidelines outlined in the 2013 Regulatory Plan. The District does not expect to increase subsidence for the area.

C. Groundwater

Groundwater issues are not applicable for the District. The District will not withdraw groundwater; however other entities within the District may use ground water for water supply. The District is located in Region A of FBSD and will comply with guidelines for ground water reduction and surface water supply conversion requirements as outlined in the 2013 Regulatory Plan.

D. Drainage

The tract currently drains naturally to creeks, which are tributaries to the Brazos River by way of overland sheet flow to the south and east. Improvements with the levee and diversion channels are expected to be compacted earth and hydro-mulched to prevent increasing storm water flow and pollution.

Existing off-site flows draining through the District will be analyzed and diverted with channels designed to convey the appropriate run-off quantity. Fill for the levee within the flood plain will be mitigated in the excavation of the diversion channels as required by FEMA or Fort Bend County Drainage District. Additional drainage and detention facilities by others with further development will be provided such that no upstream or downstream increases in the 100-year water surface elevations will be realized as a result of the proposed development. As a result, there shall be no adverse drainage impacts to upstream and downstream landowners.

E. Water Quality

No adverse impact on the water quality of ground or surface water is anticipated. The storm water generated from the development should not significantly affect the ground or surface water quality. Storm water pollution prevention measures and best management practices will be utilized during construction to prevent discharge of litter and filter debris before entering public waterways. The levee and drainage areas will be hydro-mulched to prevent erosion of soils and filter pollutants.

V. SUMMARY OF COSTS

The total construction cost estimate of \$50,182,228 for the District's infrastructure includes amounts for contingencies, engineering, construction administration, and materials testing. For developer exemption, the total bond issuance requirement (BIR) of \$74,400,000 is anticipated to finance the proposed facilities for the District. With participation in developer-contributed items, the anticipated total BIR will be \$55,250,000.

For developer cost exemption, all items are assumed 100% reimbursable by the District to the developer; thus, the District would be responsible for all of the costs. For developer cost participation, the District will reimburse 70% of developer-contributed items and 100% of District items to the developer; therefore, the District will be responsible for a majority of the costs. The following table summarizes and compares the preliminary estimated costs for developer exemption and participation.

TABLE 1. PRELIMINARY COST COMPARISON SUMMARY

Item Description	Developer Exemption District (100%)	Developer Participation District (70%)
Developer Contributed Construction Items	\$ 43,479,728	\$ 30,435,812
District Construction Items ⁽¹⁾	\$ 6,702,500	\$ 6,702,500
Total Construction	\$ 50,182,228	\$ 37,138,312
Total Non-Construction Items	\$ 24,217,772	\$ 18,111,688
Total Bond Issuance Requirement (BIR) ⁽²⁾	\$ 74,400,000	\$ 55,250,000

- NOTES: 1. 100% assumption on District Items;
2. Total amounts rounded up to the nearest hundred thousand dollars.

The bond issuance requirements are itemized for construction and non-construction items with developer exemption and participation in **Table 5**. The determination of the tax requirements for the bond amounts is available in **Table 6**.

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Engineering fees in the construction cost items include the costs incurred in preliminary engineering, design, preparing construction plans, bond reports, surveying, soils and materials investigations, and construction administration. Non-construction cost items include preliminary estimates for land and right-of-way (ROW) acquisitions; administrative, financial, legal services; initial operations; interest for the creation of the District; and costs for issuance of bonds. A significant non-construction cost will be in acquiring land for the levee right-of-way and drainage easements, which was assumed at \$30,000 per acre.

The preliminary opinion of construction costs for the District's infrastructures including the levee, diversion drainage, and storm water pump facilities is itemized in **Table 7**. Construction quantities are based on the conceptual layout that may be subject to change during detailed design, as shown in **Exhibit 7**. Construction costs are derived from recent bids on similar work in the nearby surrounding area and may vary with market and economic conditions.

VI. FEASIBILITY

A. Projected District Tax Rate

At full development, the projected ultimate assessed valuation of taxable property in the District is \$ 2,042,500,000 in present value, assuming land-use with three (3) single-family units per acre at \$250,000 per unit. The following table summarizes and compares the District bond and tax requirements for developer cost exemption and participation.

TABLE 2. PRELIMINARY BOND SUMMARY

Item Description	Developer Exemption District (100%)	Developer Participation District (70%)
Total Min. Bond Amount Required	\$ 74,400,000	\$ 55,250,000
Annual Debt Service Amount Required	\$ 5,697,362	\$ 4,230,904
Ad Valorem Tax Rate (per \$100 of assessed value)	\$ 0.31	\$ 0.24

- NOTES: 1. Bond calculated as ordinary annuity at 6.50% for a 30-year period;
 2. Assessed value based on 3 units/ac at \$250,000 per unit;

For developer cost exemption with bonds totaling \$74,400,000 with a 6.50% coupon rate for maturity over 30 years, the annual debt service requirement will be approximately \$5,697,362. Assuming no operating revenues available for debt service, an ad valorem tax rate of \$ 0.31 per \$100 of assessed valuation (AV) will be required to amortize this debt, assuming a 90% tax collection factor.

For 70% reimbursement of developer participation items and bonds totaling \$55,250,000 with a 6.50% coupon rate for maturity over 30 years, the annual debt service requirement will be approximately \$4,230,904. Assuming no operating revenues available for debt service, an ad valorem tax rate of \$ 0.24 per \$100 of AV will be required to amortize this debt, assuming a 90% tax collection factor. This is the anticipated base tax rate for the District for debt service.

B. Overlapping Tax Rates

The total overlapping tax of other taxing entities for 2013 in the vicinity of the District was \$1.96945 per \$100 of assessed valuation (AV), as shown in the table below. It is anticipated that the District will levy an additional tax of \$0.10 per \$100 of AV for annual maintenance and

PROPOSED FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT No. 21

CREATION REPORT

general operations, and a projected MUD tax of **\$1.0000 per \$100** of AV. Therefore, the total combined taxes for the District will be **\$3.37945 per \$100** of AV, with an anticipated District tax rate at **\$0.310 per \$100** of AV for debt service. The District taxes include services and maintenance for levee, off-site diversion drainage, and storm water pumping facilities. These taxes will be applied to all taxable entities within the District.

TABLE 3. PRELIMINARY TAX SUMMARY

Tax Unit Description	Ad Valorem Tax per \$100 of appraised value
<u>2013 Existing Taxes</u>	
G01, F01 Ft Bend Co. Gen., LFRC Combined	\$ 0.48476
D01 Ft Bend Drainage	\$ 0.01500
S01 Lamar CISD	\$ 1.39005
R05 Fort Bend ESD #4	\$ 0.07964
Total	\$ 1.96945
<u>Anticipated Taxes</u>	
LID 21 Tax with Developer Exemption	\$ 0.3100
LID 21 Maintenance	\$ 0.1000
Projected MUD Tax	\$ 1.0000
Anticipated Taxes Subtotal	\$ 1.4100
Total District Tax Projection	\$ 3.37945

SOURCE: Fort Bend County Appraisal District for existing taxes

Consequently, other coincident entities proposed within the District will share these taxes with any additionally proposed taxes. Other taxing entities will impose appropriate taxes for the remainder of the District as they are created to provide services for development.

C. Projected Revenues

It is not anticipated that the District will collect any additional service fees from operations.

VII. JUSTIFICATION FOR CREATION OF DISTRICT

Fort Bend County Levee Improvement District No. 21 is necessary in order to provide adequate flood protection to allow for development by safeguarding lives and properties within the District. The proposed development will be designed and constructed to have no adverse impact on land elevation, subsidence, groundwater levels, recharge capability of groundwater sources, natural runoff rates, drainage, or water quality.

The District ad valorem tax rate for debt service is expected to be **\$0.310 per \$100** of assessed valuation (AV) and a maintenance tax at **\$0.10 per \$100** of AV. All taxable entities, which may develop within the District, are expected to share these overlapping taxes. The total combined tax rate of **\$3.37945 per \$100** of AV with other existing taxes is considered reasonable and acceptable for a development of this type. Thus, it can be concluded that the District is feasible, practical, and necessary from an engineering and economic perspective. The District will benefit all the land within its boundaries; and therefore, should be created in the opinion of this report.



PROJECT: Fort Bend LID 21 Creation

JOB NO: 2207-00

DATE: 3/13/2015

BY: KA

X:\Districts\FBCLID 21\General_District_Services\09_Creation Report\Report\2014-
FILENAME: 09_FBCLID 21 Levee Cost Estimate_KA.xlsx\Land Use

FORT BEND COUNTY LID 21 CREATION
TABLE 4. CONCEPTUAL LAND-USE SUMMARY

Land Use	Approx. Area (acres)	Units (ESFC)	Population (persons)	Assessed Valuation
Levee ROW	155.8	0	N/A	N/A
3-Storm Pump Sta	3.0	0	N/A	N/A
Collector 100' ROW (by others)	25.7	0	N/A	N/A
Parkway 200' ROW (by others)	141.1	0	N/A	N/A
Existing ROW (width varies)	67.9	0	N/A	N/A
Internal Channels (by others)	180.4	0	N/A	N/A
4-Water Plants (by others)	12.0	0	N/A	N/A
2-WWTP (by others)	6.0	0	N/A	N/A
8-Lift Sta (by others)	4.0	0	N/A	N/A
SF Lots (by others)	2723.5	8170	28595	\$ 2,042,500,000
Totals	3,319.5	8,170	28,595	\$ 2,042,500,000

- NOTES: 1. Lot units based on 3 units per SF Lot acreage;
2. Population assumed at 3.5 persons per ESFC;
3. Assessed valuation based on \$250,000 per unit.



PROJECT: Fort Bend LID 21 Creation

JOB NO: 2207-00

DATE: 3/11/2015

BY: KA

FILENAME: X:\Districts\FBCLID 2110_General_District_Services\09_Creation Report\Report\2014-09_FBCLID

FORT BEND COUNTY LID 21 CREATION
TABLE 5. PRELIMINARY BOND ISSUANCE REQUIREMENTS

Description	Preliminary Costs	Developer Exemption: District Share (100%)	Developer Participation: District Share (70%)
CONSTRUCTION ITEMS			
A. Developer Contribution Items			
1. Site Preparation	\$ 1,170,259	\$ 1,170,259	\$ 819,182
2. Levee System	\$ 5,059,659	\$ 5,059,659	\$ 3,541,762
3. Drainage System	\$ 11,309,900	\$ 11,309,900	\$ 7,916,930
4. SWPPP	\$ 1,267,600	\$ 1,267,600	\$ 887,320
5. Disposal of Excess Excavation	\$ 2,668,752	\$ 2,668,752	\$ 1,868,127
6. Contingencies (15%)	\$ 3,221,426	\$ 3,221,426	\$ 2,254,998
7. Materials Testing (2%)	\$ 493,952	\$ 493,952	\$ 345,767
8. Engineering and Construction Admin (15%)	\$ 3,704,639	\$ 3,704,639	\$ 2,593,248
9. Land Acquisition	\$ 14,583,540	\$ 14,583,540	\$ 10,208,478
Subtotal, Unit A	\$ 43,479,728	\$ 43,479,728	\$ 30,435,812
B. District Items ⁽¹⁾			
1. 3 Storm Water Pump Stations	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000
2. Contingencies (15%)	\$ 750,000	\$ 750,000	\$ 750,000
3. Engineering and Construction Admin (15%)	\$ 862,500	\$ 862,500	\$ 862,500
4. Land Acquisition	\$ 90,000	\$ 90,000	\$ 90,000
Subtotal, Unit B	\$ 6,702,500	\$ 6,702,500	\$ 6,702,500
Total Construction Costs	\$ 50,182,228	\$ 50,182,228 (67.45% of BIR)	\$ 37,138,312 (67.22% of BIR)
NON-CONSTRUCTION ITEMS			
1. Legal Fees (3% of BIR)		\$ 2,232,000	\$ 1,657,500
2. Financial Advisor Fees (2.0% of BIR)		\$ 1,488,000	\$ 1,105,000
3. Interest:			
a. Capitalized Interest (7% for 2 years)		\$ 10,416,000	\$ 7,735,000
b. Developer Interest (7% for 2 years)		\$ 7,025,512	\$ 5,199,364
4. Bond Discount (3% of BIR)		\$ 2,232,000	\$ 1,657,500
5. Administration and Organization Expenses		\$ 55,860	\$ 55,949
6. T.C.E.Q. Bond Issuance Fee (0.25% of BIR)		\$ 186,000	\$ 138,125
7. Bond Application Report Cost (6 Bond Issues \$40,000 each)		\$ 240,000	\$ 240,000
8. Creation Costs (legal and engineering)		\$ 68,000	\$ 68,000
9. Initial Operations		\$ 200,000	\$ 200,000
10. Attorney General's Fee (0.10% of BIR)		\$ 74,400	\$ 55,250
Total Non-construction Costs		\$ 24,217,772 (32.55% of BIR)	\$ 18,111,688 (32.78% of BIR)
TOTAL BOND ISSUANCE REQUIREMENT ⁽²⁾		\$ 74,400,000	\$ 55,250,000

NOTES:

- District items are 100% reimbursable
- Calculations by hand may not be exact due to rounding.



PROJECT: Fort Bend LID 21 Creation
 JOB NO: 2207-00
 DATE: 3/13/2015
 BY: KA
 FILENAME: X:\Districts\FBCLID 210_General_District_Services\09_Creation Report\Report\2014-09_FBCLID 21
 Levee Cost Estimate_KA.xlsx\Bond

**FORT BEND COUNTY LID 21 CREATION
 TABLE 6. PRELIMINARY DISTRICT TAX REQUIREMENTS**

ESTIMATED ASSESSED VALUE

Area	2,724 acres
Estimated Units Per Acre of Development	<u>3.0 units/ac</u>
Ultimate Developed Units	<u>8,170 units</u>
Assumed Average Unit Value	\$ <u>250,000 per unit</u>
Total Estimated Assessed Value	\$ <u>2,042,500,000</u>

BOND REQUIREMENTS

	<u>Developer Exemption District (100%)</u>	<u>Developer Participation District (70%)</u>
Estimated Total Construction and Engineering Costs	\$ <u>50,182,228</u>	\$ <u>37,138,312</u>
Estimated Non-Construction Costs	\$ <u>24,217,772</u>	\$ <u>18,111,688</u>
Total Required Bond Amount	\$ <u>74,400,000</u>	\$ <u>55,250,000</u>
Annuity of Present Value: $A = P \left(\frac{i(1+i)^n}{(1+i)^n - 1} \right) = P(A/P)$		
Bond Amount	"P" \$ 74,400,000	\$ 55,250,000
Interest	"i" 6.50%	6.50%
Period (years)	"n" 30	30
Annual Debt Service Requirement	"A" \$ <u>5,697,362</u>	\$ <u>4,230,904</u>

PROJECTED TAX & DEBT

Assessed Valuation	\$ 2,042,500,000	\$ 2,042,500,000
Ad valorem tax rate assumes 90% tax collection	\$ 0.3099	\$ 0.2302
Round up ad valorem tax rate (per \$100 of property value)	\$ <u>0.310</u>	\$ <u>0.240</u>
Annual debt service tax revenue based on 90% tax collection	\$ <u>5,698,575</u>	\$ <u>4,411,800</u>

NOTES:

1. Debt service calculated based on ordinary annuity;
2. Tax rates may vary based on assessed valuation.



PROJECT: FBCLID 21 LEVEE ANALYSIS
 JOB NO: 2207-00
 DATE: 3/13/2015
 BY: RWL
 FILENAME: X:\Districts\FBCLID 21\0_General_District_Services\09_Creation Report\FBCLID 21\09_FBCLID 21 Levee Cost Estimate_KA.xlsx\Reimburse

JOINT LEVEE ANALYSIS

TABLE 7. PRELIMINARY OPINION OF TOTAL PROBABLE CONSTRUCTION COSTS

ITEM	DESCRIPTION	QUANTITY & UNIT	UNIT COST	JOINT LEVEE TOTAL	RIVER RANCH SHARE	FOSTER FARMS SHARE
UNIT A: SITE PREPARATION:						
1.	Site Preparation clearing and grubbing of construction area	234.1 AC	\$ 5,000.00	\$ 1,170,259.41	107,092.70 \$	1,063,166.71
	a. Levee areas				9.15%	90.85%
	TOTAL, UNIT A			\$ 1,170,259.41	107,092.70 \$	1,063,166.71
UNIT B: LEVEE SYSTEM						
1.	Levee Base and Subgrade 1-foot depth of excavation of base and compaction of subgrade to 1 foot beyond toe; (with 30% Loss)	175,216 CY	\$ 5.00	\$ 876,079.63	80,171.74 \$	795,907.89
2.	Levee Embankment fill of embankment and compaction to 3 feet above BFE with 10-foot top and 4:1 side slopes; (with 30% Loss)	615,853 CY	\$ 5.00	\$ 3,079,263.66	281,789.38 \$	2,797,474.28
3.	Extra Fill (25%)	153,963 CY	\$ 5.00	\$ 769,815.91	70,447.34 \$	699,368.57
4.	Drainage Swales	66,900 LF	\$ 5.00	\$ 334,500.00	30,610.74 \$	303,889.26
	TOTAL, UNIT B			\$ 5,059,659.20	463,019.21 \$	4,596,639.99



BROWN & GAY
ENGINEERS

PROJECT: FBCLID 21 LEVEE ANALYSIS

JOB NO: 2207-00

DATE: 3/13/2015

BY: RWL

FILENAME: X:\Districts\FBCLID 21\General_District_Services\08_Creation Report\Report(2014-08_FBCLID 21 Levee Cost Estimate_KA.xlsx)\Reimburse

JOINT LEVEE ANALYSIS

TABLE 7. PRELIMINARY OPINION OF TOTAL PROBABLE CONSTRUCTION COSTS

ITEM	DESCRIPTION	QUANTITY & UNIT	UNIT COST	JOINT LEVEE TOTAL	RIVER RANCH SHARE	FOSTER FARMS SHARE
<u>UNIT C: DRAINAGE SYSTEM</u>						
1.	Storm Water Pump Station - River Ranch Tract	1 LS	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$
2.	Control Outfall Structure - River Ranch Tract with flap gates, slope paving and outfall	1 EA	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$
3.	Internal Drainage Channel Excavation - River Ranch Tract	211,600 CY	\$ 5.00	\$ 1,058,000.00	\$ 1,058,000.00	\$
4.	External Drainage Channel Excavation - River Ranch Tract	90,700 CY	\$ 5.00	\$ 453,500.00	\$ 453,500.00	\$
5.	Outfall Channel Erosion Control	1 LS	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$
6.	Storm Water Pump Stations - Foster Farms Tract	2 LS	\$ 2,000,000.00	\$ 4,000,000.00	\$	\$ 4,000,000.00
7.	Control Outfall Structure - Foster Farms Tract with flap gates, slope paving and outfall	2 EA	\$ 150,000.00	\$ 300,000.00	\$ 300,000.00	\$
8.	Internal Drainage Channel Excavation - Foster Farms Tract	994,400 CY	\$ 5.00	\$ 4,972,000.00	\$	\$ 4,972,000.00
9.	External Drainage Channel Excavation - Foster Farms Tract	362,700 CY	\$ 5.00	\$ 1,813,500.00	\$	\$ 1,813,500.00
10.	Outfall Channel Erosion Control	2 LS	\$ 500,000.00	\$ 1,000,000.00	\$	\$ 1,000,000.00
11.	Drainage Swales	61,580 LF	\$ 5.00	\$ 307,900.00	\$ 28,176.53	\$ 279,723.47
12.	Backslope drainage structures with inlet structure and CMP pipe	161 EA	\$ 5,000.00	\$ 805,000.00	\$ 73,667.11	\$ 731,332.89
TOTAL, UNIT C				\$ 16,309,900.00	\$ 3,513,343.63	\$ 12,796,556.37



PROJECT: FBCLID 21 LEVEE ANALYSIS

JOB NO: 2207-00

DATE: 3/13/2015

BY: RWL

FILENAME: X:\Districts\FBCLID 21\0_General_District_Services\09_Creation Report\Report(2014-09_FBCLID 21 Levee Cost Estimate_[A.xlsx])Reimburse

JOINT LEVEE ANALYSIS

TABLE 7. PRELIMINARY OPINION OF TOTAL PROBABLE CONSTRUCTION COSTS

ITEM	DESCRIPTION	QUANTITY & UNIT	UNIT COST	JOINT LEVEE TOTAL	RIVER RANCH SHARE	FOSTER FARMS SHARE
UNIT D: STORM WATER POLLUTION CONTROL						
1.	Enforcement and Maintenance of IPDES Requirements for Duration of Contract	1 LS	\$ 100,000.00	\$ 100,000.00	\$ 25,000.00	\$ 75,000.00
2.	Stabilized Construction Access	5 EA	\$ 2,500.00	\$ 12,500.00	\$ 5,000.00	\$ 7,500.00
3.	Concrete Truck Washout Area	5 EA	\$ 2,500.00	\$ 12,500.00	\$ 5,000.00	\$ 7,500.00
4.	Reinforced Filter Fabric Fence	73,000 LF	\$ 2.00	\$ 146,000.00	\$ 13,360.74	\$ 132,639.26
5.	Hydro-Mulch Seeding of levee slopes, detention and channel slopes, and maintenance berms	453 AC	\$ 2,200.00	\$ 996,600.00	\$ 91,200.80	\$ 905,399.20
TOTAL, UNIT D				\$ 1,267,600.00	\$ 139,561.54	\$ 1,128,038.46
UNIT E: DISPOSAL OF EXCESS EXCAVATION						
1.	On-site Disposal of Excess Excavation	889,584 CY	\$ 3.00	\$ 2,668,752.26	\$ 244,222.69	\$ 2,424,529.57
TOTAL, UNIT E				\$ 2,668,752.26	\$ 244,222.69	\$ 2,424,529.57



PROJECT: FECLID 21 LEVEE ANALYSIS

JOB NO: 2207-00

DATE: 3/13/2015

BY: RWL

FILENAME: X:\Districts\FBCLID 210_General_District_Services\09_Creation Report\Report(2014-09_FBCLID 21 Levee Cost Estimate_[A.xlsx])Reimburse

JOINT LEVEE ANALYSIS

TABLE 7. PRELIMINARY OPINION OF TOTAL PROBABLE CONSTRUCTION COSTS

ITEM	DESCRIPTION	QUANTITY & UNIT	UNIT COST	JOINT LEVEE TOTAL	RIVER RANCH SHARE	FOSTER FARMS SHARE
UNIT F: LAND ACQUISITION						
1.	Levee ROW variable width for 66,900 feet	234 AC	\$ 30,000.00	\$ 7,021,556.47	\$ 642,556.23	\$ 6,379,000.24
2.	River Ranch Drainage Channel 200' ROW for 10,000 feet	46 AC	\$ 30,000.00	\$ 1,377,410.47	\$ 1,377,410.47	
3.	Foster Farms Drainage Channel 200' ROW for 44,900 feet	206 AC	\$ 30,000.00	\$ 6,184,573.00		\$ 6,184,573.00
4.	River Ranch Pump Station	1 AC	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	
5.	Foster Farms Pump Station	2 AC	\$ 30,000.00	\$ 60,000.00		\$ 60,000.00
TOTAL, UNIT F				\$ 14,673,539.94	\$ 2,049,966.70	\$ 12,623,573.25
SUMMARY						
UNIT A: SITE PREPARATION				\$ 1,170,259.41	\$ 107,092.70	\$ 1,063,166.71
UNIT B: LEVEE SYSTEM				\$ 5,059,659.20	\$ 463,019.21	\$ 4,596,639.99
UNIT C: DRAINAGE SYSTEM				\$ 16,309,900.00	\$ 3,513,343.63	\$ 12,796,556.37
UNIT D: SWPPP				\$ 1,267,600.00	\$ 139,561.54	\$ 1,128,038.46
UNIT E: DISPOSAL OF EXCESS EXCAVATION				\$ 2,668,752.26	\$ 244,222.69	\$ 2,424,529.57
SUBTOTAL				\$ 26,476,170.87	\$ 4,467,239.77	\$ 22,008,931.10



**BROWN & GAY
ENGINEERS**

PROJECT: FBCLID 21 LEVEE ANALYSIS

JOB NO: 2207-00

DATE: 3/13/2015

BY: RWL

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JOINT LEVEE ANALYSIS

TABLE 7. PRELIMINARY OPINION OF TOTAL PROBABLE CONSTRUCTION COSTS

ITEM	DESCRIPTION	QUANTITY & UNIT	UNIT COST	JOINT LEVEE TOTAL	RIVER RANCH SHARE	FOSTER FARMS SHARE
CONTINGENCIES			15%	\$ 3,971,425.63	\$ 670,085.97	\$ 3,301,339.66
MATERIALS TESTING			2%	\$ 608,951.93	\$ 102,746.51	\$ 506,205.42
ENGINEERING & CONSTRUCTION ADMIN			15%	\$ 4,567,139.48	\$ 770,598.86	\$ 3,796,540.61
UNIT F. LAND ACQUISITION				\$ 14,673,539.94	\$ 2,049,966.70	\$ 12,623,573.25
GRAND TOTAL				\$ 50,297,227.85	\$ 8,060,637.81	\$ 42,236,590.04

NOTES:

1. Excludes internal drainage and detention, to be developed by others (e.g. MUDs);
2. Item quantities are based on a preliminary layout, which are subject to change with more detailed design;
3. Unit costs may vary based on market and economic conditions.



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ENGINEERS**

PROJECT: Fort Bend LID 21 Creation

JOB NO: 2207-00

DATE: 3/13/2015

BY: KA

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**FORT BEND COUNTY LID 21 CREATION
TABLE 8. 2013 TAX RATES**

Tax Unit	Description	Ad Valorem Tax per \$100 of appraised value
G01, F01	Ft Bend Co. Gen., LFRC Combined	\$ 0.48476
D01	Ft Bend Drainage	\$ 0.01500
S01	Lamar CISD	\$ 1.39005
R05	Fort Bend ESD #4	\$ 0.07964
Total		\$ 1.96945

SOURCE: Fort Bend County Appraisal District



PROJECT: Fort Bend LID 21 Creation

JOB NO: 2207-00

DATE: 3/13/2015

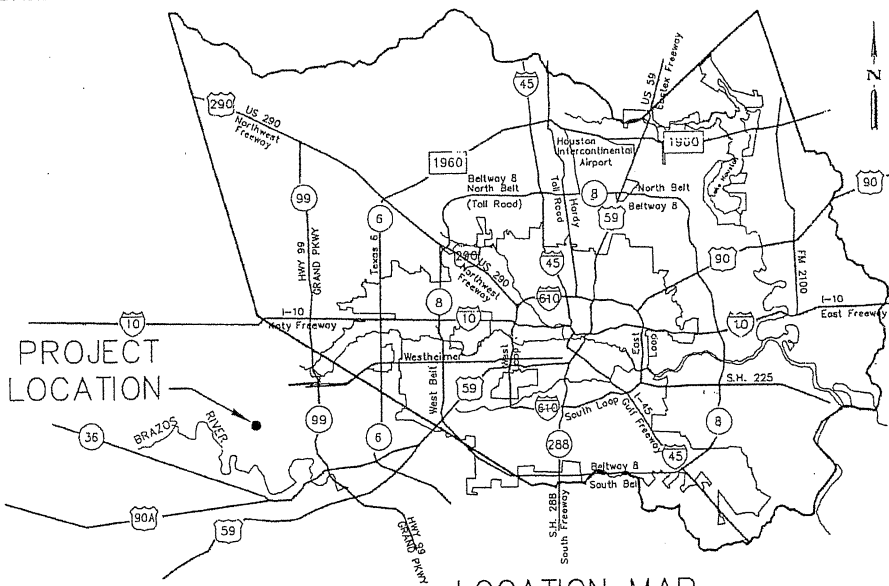
BY: KA

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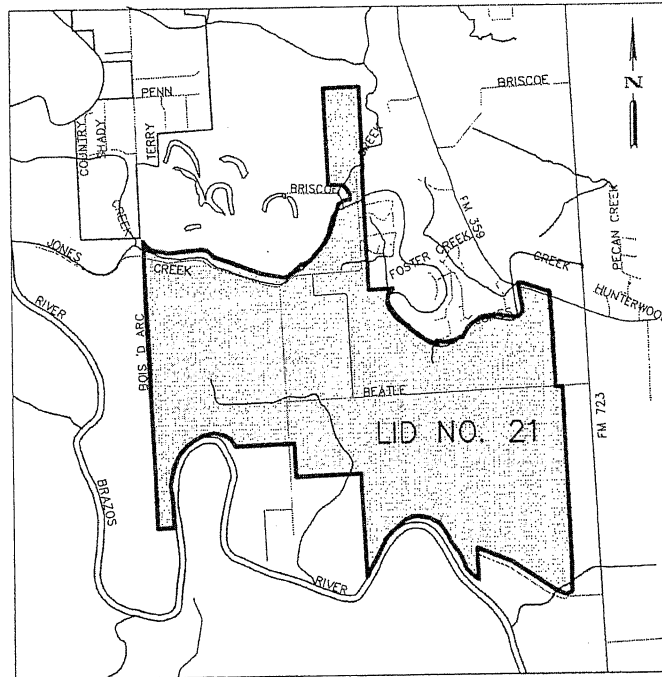
**FORT BEND COUNTY LID 21 CREATION
TABLE 9. DISTRICT CONSULTANTS**

Attorney: Allen Boone Humphries Robinson LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027
713-860-6415
Attn: Ms. Angie Lutz

Engineer: Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400
Houston, Texas 77042
281-558-8700
Attn: Mr. Kevin Gilligan



LOCATION MAP



VICINITY MAP
KEY MAP 563 & 564

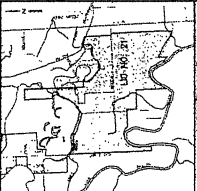
BROWN & GAY
ENGINEERS, INC.

CIVIL ENGINEERS & SURVEYORS
11490 WESTHEIMER, SUITE 700
HOUSTON, TEXAS 77077
(281) 558-8700

LID 21 CREATION
FORT BEND COUNTY, TEXAS

VICINITY MAP

SCALE: N.T.S.	JOB NO: 2207	DATE: AUGUST 2014	EXHIBIT: 1
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VICINITY MAP



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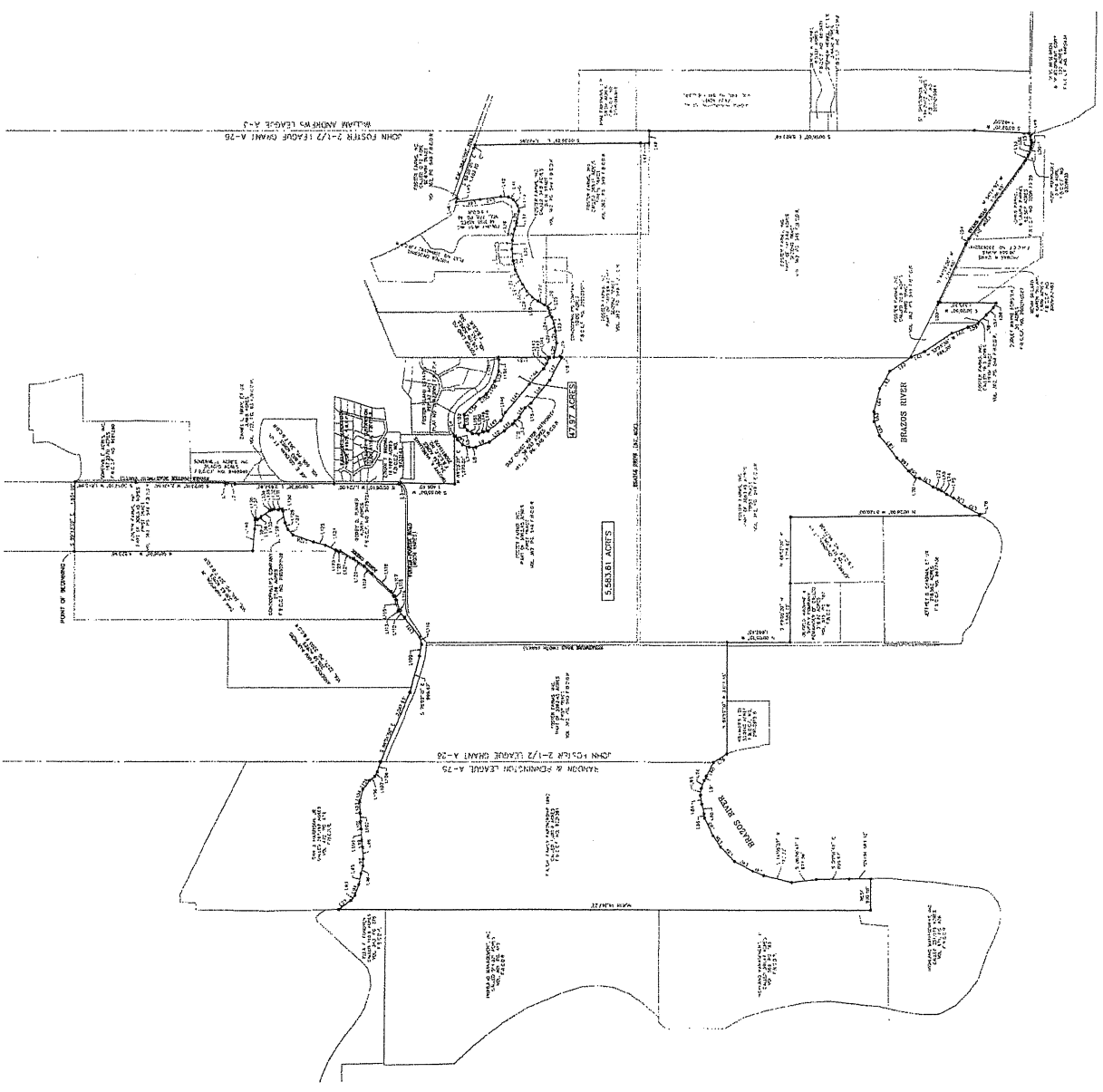
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97	1
98	1
99	1
100	1

NO PART OF THIS MAP OR ANY PART THEREOF SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER OF RECORD.



John Foster
 JOHN FOSTER
 ENGINEER
 STATE OF TEXAS
 FEBRUARY 2014

FORT BEND COUNTY
 LEVEE IMPROVEMENT DISTRICT
 NO. 21 BOUNDARY MAP
 CONTAINING 668.61 ACRES OF LAND
 OUT OF THE
 JOHN FOSTER 2-1/2 LEAGUE GRANT A-26
 AND RAHALL PATENT, LEAGUE, A-75
 FORT BEND COUNTY, TEXAS
 SCALE: 1" = 1000'
 BROWN & GAY ENGINEERS, INC.
 HOUSTON, TEXAS



F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES

FEBRUARY 25, 2014
JOB NO. 2207-00
PAGE 1 OF 10

DESCRIPTION OF A 5,583.61 ACRE TRACT OF LAND SITUATED
IN THE JOHN FOSTER 2-1/2 LEAGUE GRANT, ABSTRACT NO. 26
AND THE RANDON & PENNINGTON LEAGUE, ABSTRACT NO. 75
FORT BEND COUNTY, TEXAS

BEING a 5,583.61 acre tract of land situated in the John Foster 2-1/2 League Grant, Abstract No. 26 and the Randon & Pennington League, Abstract No. 75 of Fort Bend County, Texas and being part of a called 3,063.45 acre tract of land described as First Tract and of a called 1,410.69 acre tract of land described as Second Tract in a conveyance to Foster Farms, Inc. recorded in Volume 362, Page 549 of the Fort Bend County Deed Records (F.B.C.D.R.) also being all of a called 1,081.9 acre tract of land described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 9231591, said 5,583.61 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the most northerly Northwest corner of said 3,063.45 acre tract and the Northeast corner of a called 339.63 acre tract described and recorded in Volume 349, Page 524 of the F.B.C.D.R. also the Southwest corner of a called 314 acre tract described and recorded in Volume 465, Page 585 of the F.B.C.D.R.;

THENCE, S 89° 43' 00" E, a distance of 1,834.00 feet to the most northerly northeast corner of said 3063.45 acre tract and being in the western right-of-way line of Winner-Foster Road (Width Varies);

THENCE, along the western and northern right-of-way lines of said Winner-Foster Road the following courses and distances:

S 00° 12' 10" W, a distance of 1,613.96 feet to a point for corner;

S 00° 23' 10" W, a distance of 2,431.50 feet to a point for corner;

S 12° 46' 40" W, a distance of 62.54 feet to a point for corner;

S 02° 56' 10" W, a distance of 213.03 feet to a point for corner;

S 00° 09' 30" E, a distance of 2,657.90 feet to a point for corner;

S 00° 06' 10" W, a distance of 1,724.00 feet to a point for corner;

THENCE, S 27° 37' 18" E, a distance of 56.51 feet to a point for corner in the west line of a called 34.2634 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

THENCE, along the West and South lines of said 34.2634 acre tract the following courses and distances:

S 00° 55' 00" W, a distance of 1,406.40 feet to a point for corner;

N 89° 23' 37" E, a distance of 1,270.51 feet to a point for corner;

THENCE, S 17° 30' 13" E, a distance of 40.58 feet to a point for corner and being in the western line of a called 34.2634 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

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THENCE, along the western and southern lines of said 34.2634 acre tract the following courses and distances:

S 65° 29' 00" W, a distance of 117.65 feet to a point for corner;
S 42° 36' 00" W, a distance of 195.00 feet to a point for corner;
S 18° 58' 00" W, a distance of 200.00 feet to a point for corner;
S 00° 28' 00" W, a distance of 176.00 feet to a point for corner;
S 19° 47' 00" E, a distance of 400.00 feet to a point for corner;
S 36° 17' 00" E, a distance of 500.00 feet to a point for corner;
S 38° 17' 00" E, a distance of 275.00 feet to a point for corner;
S 53° 47' 00" E, a distance of 117.00 feet to a point for corner;
S 37° 17' 00" E, a distance of 150.00 feet to a point for corner;
S 57° 20' 00" E, a distance of 300.00 feet to a point for corner;
S 38° 20' 00" E, a distance of 200.00 feet to a point for corner;
S 50° 14' 00" E, a distance of 800.00 feet to a point for corner;
S 61° 40' 00" E, a distance of 685.00 feet to a point for corner;
S 72° 40' 00" E, a distance of 11.59 feet to a point for corner being in the West line of said 1,410.69 acre tract;

THENCE, N 00° 03' 10" E, a distance of 212.73 feet to a point for corner being in the centerline of Jones Creek;

THENCE, along the centerline of Jones Creek the following courses and distances:

S 78° 51' 08" E, a distance of 391.70 feet to a point for corner;
N 84° 10' 17" E, a distance of 331.68 feet to a point for corner;
N 76° 23' 23" E, a distance of 204.37 feet to a point for corner;
N 70° 21' 24" E, a distance of 176.10 feet to a point for corner;
N 65° 02' 57" E, a distance of 120.94 feet to a point for corner;

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N 73° 07' 51" E, a distance of 134.93 feet to a point for corner;
N 40° 10' 10" E, a distance of 140.10 feet to a point for corner;
N 29° 07' 50" E, a distance of 206.30 feet to a point for corner;
N 36° 42' 30" E, a distance of 179.60 feet to a point for corner;
N 46° 15' 10" E, a distance of 231.00 feet to a point for corner;
N 57° 46' 30" E, a distance of 210.50 feet to a point for corner;
N 60° 28' 30" E, a distance of 234.75 feet to a point for corner;
N 63° 30' 20" E, a distance of 209.90 feet to a point for corner;
N 75° 53' 50" E, a distance of 245.40 feet to a point for corner;
N 84° 23' 30" E, a distance of 314.25 feet to a point for corner;
S 87° 35' 30" E, a distance of 228.80 feet to a point for corner;
S 78° 18' 00" E, a distance of 302.14 feet to a point for corner;
S 71° 40' 10" E, a distance of 173.50 feet to a point for corner;
S 79° 09' 30" E, a distance of 326.40 feet to a point for corner;
N 79° 30' 30" E, a distance of 151.50 feet to a point for corner;
N 50° 57' 20" E, a distance of 209.40 feet to a point for corner;
N 29° 11' 50" E, a distance of 147.40 feet to a point for corner;
N 02° 35' 50" E, a distance of 202.20 feet to a point for corner;
N 07° 38' 30" W, a distance of 560.65 feet to a point for corner;
N 06° 01' 40" W, a distance of 671.97 feet to the most northerly northwest corner of the herein described tract;

THENCE, S 78° 30' 50" E, a distance of 117.07 feet to the Southwest corner of a called 0.72 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R.;

THENCE, N 11° 29' 10" E, a distance of 23.31 feet to Northwest corner of said 0.72 acre tract and being in the southern right-of-way line of F. M. 359 (100-foot wide);

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THENCE, along the southern right-of-way lines of said F. M. 359 the following courses and distances:

S 69° 55' 20" E, a distance of 1,402.20 feet to the point of curvature of a curve to the right;

In an Southeasterly direction along said curve to the right, a distance of 92.41 feet, having a radius of 3,770.00 feet, a central angle of 01° 24' 16" and a chord which bears S 69° 13' 12" E, 92.41 feet to the most easterly Northeast corner of the herein described tract and being the Northwest corner of a called 26.00 acre tract described and recorded under F.B.C.C.F. No. 9725243;

THENCE, S 00° 39' 06" E, a distance of 4,527.65 feet along the line common to said 26.00 acre tract and said 1,410.69 acre tract to a point being in the southern right-of-way line of Beadle Drive (80-foot wide)

THENCE, S 00° 40' 10" E, a distance of 222.50 feet to a point for corner;

THENCE, S 88° 36' 40" E, a distance of 331.42 feet to a point for corner being in the West line of a called 174.27 acre tract described and recorded in Volume 495, Page 841 of the F.B.C.D.R.;

THENCE, along the East lines of said 1,410.69 acre tract and the West lines of said 174.27 acre tract and a called 6.5331 acre tract described and recorded under F.B.C.C.F. No. 9818471 and a called 3.6430 acre tract described and recorded under F.B.C.C.F. No. 9812369 also a called 194.2072 acre tract described and recorded under F.B.C.C.F. No. 2001015964 the following courses and distances:

S 00° 06' 00" E, a distance of 8,803.69 feet to a point for corner;

S 03° 02' 20" W, a distance of 1,460.00 feet to the Southeast corner of the herein described tract and the Northwest corner of a called 132 acres described and recorded under F.B.C.C.F. No. 9465434;

THENCE, along the southern lines of said 1,410.69 acre tract and the northern lines of Evans Road (40-foot wide) the following courses and distances:

S 70° 59' 40" W, a distance of 193.60 feet to a point for corner;

S 83° 22' 20" W, a distance of 94.60 feet to a point for corner;

N 78° 41' 00" W, a distance of 123.30 feet to a point for corner;

N 70° 30' 40" W, a distance of 196.30 feet to a point for corner;

N 60° 46' 40" W, a distance of 154.40 feet to a point for corner;

N 54° 14' 30" W, a distance of 2,586.55 feet to a point for corner;

N 60° 10' 20" W, a distance of 167.80 feet to a point for corner;

N 64° 29' 30" W, a distance of 1,714.80 feet to a point for corner;

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THENCE, S 16° 49' 30" W, a distance of 40.16 feet over said Evans Road to the Northeast corner of a called 16.3 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R. also the Northwest corner of a called 30 acre tract described and recorded under F.B.C.C.F. No. 2002110527;

THENCE, S 00° 20' 00" W, a distance of 1,525.20 feet along the line common to said 16.3 acre tract and said 30 acre tract to a point for corner on the northern high bank of the Brazos River;

THENCE along the northern high bank of the Brazos River the following twenty-four (24) courses and distances:

- N 59° 41' 40" W, a distance of 152.20 feet to an angle point;
- N 44° 27' 50" W, a distance of 258.50 feet to an angle point;
- N 45° 43' 20" W, a distance of 328.10 feet to an angle point;
- N 21° 50' 30" W, a distance of 292.20 feet to an angle point;
- N 19° 53' 20" W, a distance of 461.00 feet to an angle point;
- N 33° 23' 30" W, a distance of 889.20 feet to an angle point;
- N 23° 21' 00" W, a distance of 381.20 feet to an angle point;
- N 33° 07' 30" W, a distance of 705.90 feet to an angle point;
- N 59° 50' 40" W, a distance of 535.00 feet to an angle point;
- N 75° 30' 40" W, a distance of 643.50 feet to an angle point;
- S 87° 13' 00" W, a distance of 259.31 feet to an angle point;
- S 68° 53' 20" W, a distance of 397.00 feet to an angle point;
- S 51° 47' 20" W, a distance of 756.00 feet to an angle point;
- S 47° 20' 20" W, a distance of 470.70 feet to an angle point;
- S 44° 25' 20" W, a distance of 240.25 feet to an angle point;
- S 13° 24' 20" W, a distance of 130.20 feet to an angle point;
- S 31° 44' 00" W, a distance of 429.30 feet to an angle point;
- S 22° 44' 00" W, a distance of 149.10 feet to an angle point;

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S 29° 42' 00" W, a distance of 104.75 feet to an angle point;

S 31° 45' 20" W, a distance of 163.70 feet to an angle point;

S 27° 51' 40" W, a distance of 210.40 feet to an angle point;

S 34° 59' 10" W, a distance of 374.80 feet to an angle point;

S 27° 43' 40" W, a distance of 463.00 feet to an angle point;

N 59° 47' 10" W, a distance of 39.22 feet to a point for corner being in the East line of a called 218.562 acre tract described and recorded under F.B.C.C.F. No. 9677436;

THENCE, N 00° 28' 00" W, a distance of 5,120.00 feet along the East line of said 218.562 acre tract and the East line of a called 101.314 acre tract described and recorded under F.B.C.C.F. No. 9677438 to a point for corner;

THENCE, N 89° 52' 00" W, a distance of 1,756.82 feet along the North line of said 101.314 acre tract to an angle point;

THENCE, S 89° 59' 20" W, a distance of 1,582.72 feet to a point for corner being in the East right-of-way line of Stratmore Road (Width Varies);

THENCE, N 00° 05' 10" W, a distance of 1,682.65 feet along said East right-of-way line to a point for corner;

THENCE, N 89° 59' 10" W, a distance of 3,011.45 feet to a point for corner on the high bank of the Brazos River;

THENCE, N 31° 19' 40" W, a distance of 440.85 feet to a point for corner being in the West line of said 3,063.45 acre tract and the East line of said 1,081.9 acre tract also being the western line of said John Foster 2-1/2 League Grant and the eastern line of said Randon & Pennington League;

THENCE along the northern high bank of the Brazos River the following sixteen (16) courses and distances:

N 61° 15' 51" W, a distance of 413.67 feet to an angle point;

N 63° 38' 25" W, a distance of 127.39 feet to an angle point;

N 69° 57' 21" W, a distance of 231.42 feet to an angle point;

N 84° 02' 56" W, a distance of 177.77 feet to an angle point;

S 81° 49' 31" W, a distance of 243.96 feet to an angle point;

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S 76° 50' 40" W, a distance of 262.11 feet to an angle point;

S 83° 30' 54" W, a distance of 117.69 feet to an angle point;

S 63° 26' 12" W, a distance of 532.25 feet to an angle point;

S 54° 50' 09" W, a distance of 356.23 feet to an angle point;

S 44° 22' 37" W, a distance of 544.99 feet to an angle point;

S 28° 38' 41" W, a distance of 555.68 feet to an angle point;

S 20° 42' 53" W, a distance of 316.44 feet to an angle point;

S 14° 05' 57" W, a distance of 773.72 feet to an angle point;

S 06° 56' 47" E, a distance of 674.56 feet to an angle point;

S 00° 51' 45" E, a distance of 899.67 feet to an angle point;

SOUTH, a distance of 583.32 feet to a point for corner;

THENCE, WEST, a distance of 830.56 feet to the Southwest corner of the herein described tract and the Southwest corner of said 1,081.9 acre tract being a interior ell corner of a called 251.075 acre tract described and recorded in Volume 671, Page 876 of the F.B.C.D.R.;

THENCE, NORTH, a distance of 14,347.22 feet along the East lines of said 251.075 acre tract and a called 391.47 acre tract described and recorded in Volume 569, Page 765 of the F.B.C.D.R. also a called 514.321 acre tract described and recorded in Volume 801, Page 410 of the F.B.C.D.R. and a called 110.8 acre tract described and recorded in Volume 343, Page 276 of the F.B.C.D.R. to the Northwest corner of the herein described tract and the Northwest corner of said 1,081.9 acre tract and the Southwest corner of a called 367.199 acre tract described and recorded in Volume 422, Page 474 of the F.B.C.D.R., said point being in the centerline of Jones Creek;

THENCE, along the North lines of said 1,081.9 acre tract and the South lines of said 367.199 acre tract and with the centerline meanders of said Jones Creek the following seventeen (17) courses and distances:

S 35° 54' 45" E, a distance of 404.28 feet to an angle point;

S 53° 07' 30" E, a distance of 178.46 feet to an angle point;

S 71° 31' 00" E, a distance of 300.73 feet to an angle point;

S 78° 57' 15" E, a distance of 300.54 feet to an angle point;

S 73° 50' 05" E, a distance of 206.79 feet to an angle point;

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S 87° 53' 05" E, a distance of 183.89 feet to an angle point;
N 85° 48' 00" E, a distance of 311.23 feet to an angle point;
N 82° 02' 35" E, a distance of 191.06 feet to an angle point;
N 87° 46' 05" E, a distance of 300.24 feet to an angle point;
N 84° 02' 40" E, a distance of 200.07 feet to an angle point;
N 87° 05' 55" E, a distance of 211.83 feet to an angle point;
N 87° 13' 25" E, a distance of 315.20 feet to an angle point;
S 75° 09' 25" E, a distance of 348.37 feet to an angle point;
S 52° 33' 35" E, a distance of 301.30 feet to an angle point;
S 37° 42' 30" E, a distance of 172.73 feet to an angle point;
S 61° 05' 10" E, a distance of 146.38 feet to an angle point;
S 73° 10' 00" E, a distance of 269.73 feet to the Northeast corner of said 1,081.9 acre tract and the most westerly Northwest corner of said 3,063.45 acre tract;

THENCE, continuing along the meanders of said Jones Creek and with the Northwestern lines of said 3,063.45 acre tract also being the Southwestern lines of a called 208.59 acre tract described and recorded in Volume 2227, Page 2203 of the F.B.C.D.R. and a called 339.63 acre tract described and recorded in Volume 349, Page 524 of the F.B.C.D.R. the following sixteen (16) courses and distances:

S 68° 04' 50" E, a distance of 2,041.63 feet to an angle point;
S 76° 02' 10" E, a distance of 999.67 feet to an angle point;
S 79° 34' 20" E, a distance of 320.08 feet to an angle point;
N 73° 55' 30" E, a distance of 196.72 feet to an angle point;
N 52° 35' 50" E, a distance of 658.02 feet to an angle point;
N 48° 44' 00" E, a distance of 247.46 feet to an angle point;
SOUTH, a distance of 54.85 feet to an angle point;
N 48° 44' 00" E, a distance of 37.99 feet to an angle point;

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N 72° 44' 20" E, a distance of 277.48 feet to an angle point;

N 63° 43' 20" E, a distance of 114.44 feet to an angle point;

N 54° 03' 20" E, a distance of 145.76 feet to an angle point;

N 43° 36' 20" E, a distance of 706.04 feet to an angle point;

N 42° 01' 20" E, a distance of 285.46 feet to an angle point;

N 34° 49' 20" E, a distance of 345.87 feet to an angle point;

N 30° 43' 15" E, a distance of 402.71 feet to an angle point;

N 00° 06' 00" W, a distance of 80.27 feet to the most southern corner of a called 27.66 acre tract described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2005020109;

THENCE, along the East and North lines of said 27.66 acre tract the following seventeen (17) courses and distances:

N 28° 53' 21" E, a distance of 59.08 feet to an angle point;

N 23° 57' 27" E, a distance of 299.97 feet to an angle point;

N 16° 15' 51" E, a distance of 331.81 feet to an angle point;

N 19° 01' 38" E, a distance of 580.70 feet to an angle point;

N 44° 58' 18" E, a distance of 189.22 feet to an angle point;

N 66° 56' 01" E, a distance of 188.69 feet to an angle point;

N 77° 44' 37" E, a distance of 323.41 feet to an angle point;

N 81° 28' 55" E, a distance of 55.99 feet to an angle point;

N 12° 18' 48" W, a distance of 107.20 feet to an angle point;

N 07° 07' 38" E, a distance of 117.89 feet to an angle point;

N 15° 08' 03" W, a distance of 58.15 feet to an angle point;

N 25° 50' 24" W, a distance of 58.30 feet to an angle point;

N 34° 49' 05" W, a distance of 274.94 feet to an angle point;

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N 38° 03' 02" W, a distance of 118.88 feet to an angle point;

N 16° 17' 08" W, a distance of 54.86 feet to an angle point;

N 03° 12' 23" E, a distance of 7.00 feet to an angle point;

N 86° 00' 03" W, a distance of 239.04 feet to an angle point;

N 84° 46' 54" W, a distance of 585.18 feet to the Northwest corner of said 27.66 acre tract and being in the East line of said 339.63 acre tract;

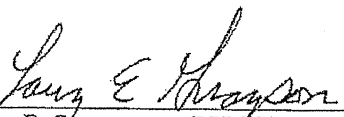
THENCE, N 00° 06' 00" W, a distance of 4,823.96 feet along the line common to said 339.63 acre tract and said 3,063.45 acre tract to the POINT OF BEGINNING and containing 5,583.61 acres of land.

Bearing orientation is based on the west line of the called 3,063.45 acre tract described as First Tract in the deed recorded in Volume 362, Page 549 of the Fort Bend County Deed Records and called to be South.

This metes and bounds description was prepared under 22 Texas Annotated Code 663.21 and reflects the assembly of instruments of record to describe the political boundary limits shown hereon and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Dated this the 25th day of February, 2014.




Larry E. Grayson RPLS No. 5071
Brown & Gay Engineers, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
47.97 ACRES

FEBRUARY 25, 2014
JOB NO.2207-00
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DESCRIPTION OF A 47.97 ACRE TRACT OF LAND SITUATED
IN THE JOHN FOSTER 2-1/2 LEAGUE GRANT, ABSTRACT NO. 26
FORT BEND COUNTY, TEXAS

BEING a 47.97 acre tract of land situated in the John Foster 2-1/2 League Grant, Abstract No. 26 of Fort Bend County, Texas and being part of a called 3,063.45 acre tract of land described as First Tract in a conveyance to Foster Farms, Inc. recorded in Volume 362, Page 549 of the Fort Bend County Deed Records (F.B.C.D.R.), said 47.97 acre tract of land described by metes and bounds as follows:

COMMENCING at the Southwest corner of a called 128.109 acre tract described and recorded in Volume 757, Page 585 of the F.B.C.D.R.;

THENCE, N 00° 03' 10" E, a distance of 127.03 feet along the west line of said 128.109 acre tract to the Southeast corner of the herein described tract and being the **POINT OF BEGINNING**;

THENCE, along the lines common to the herein described tract and a called 39.503 acre tract described and recorded in Volume 27, Page 548 of the F.B.C.D.R. the following nineteen (19) courses and distances:

- N 75° 04' 00" W, a distance of 14.61 feet to an angle point;
- N 64° 54' 00" W, a distance of 170.00 feet to an angle point;
- N 59° 54' 00" W, a distance of 164.00 feet to an angle point;
- N 47° 02' 00" W, a distance of 566.00 feet to an angle point;
- N 48° 54' 00" W, a distance of 1000.00 feet to an angle point;
- N 62° 04' 00" W, a distance of 242.00 feet to an angle point;
- N 37° 29' 00" W, a distance of 447.00 feet to an angle point;
- N 10° 20' 00" W, a distance of 123.00 feet to an angle point;
- N 22° 41' 00" W, a distance of 145.00 feet to an angle point;
- N 04° 35' 00" E, a distance of 166.50 feet to an angle point;
- N 29° 03' 00" E, a distance of 161.50 feet to an angle point;
- N 59° 03' 00" E, a distance of 150.00 feet to an angle point;
- N 86° 43' 00" E, a distance of 300.00 feet to an angle point;
- S 44° 11' 00" E, a distance of 600.00 feet to an angle point;

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S 35° 19' 00" E, a distance of 225.00 feet to an angle point;

S 56° 05' 00" E, a distance of 400.00 feet to an angle point;

S 69° 31' 00" E, a distance of 300.00 feet to an angle point;

S 88° 24' 00" E, a distance of 300.00 feet to an angle point;

N 77° 12' 00" E, a distance of 63.36 feet to the Northeast corner of the herein described tract and being in the West line of said 128.109 acre tract;

THENCE, S 00° 03' 10" W, a distance of 1,389.24 feet along the West line of said 128.109 acre tract to the POINT OF BEGINNING and containing 47.97 acres of land.

Bearing orientation is based on the West line of the called 3,063.45 acre tract described as First Tract in the deed recorded in Volume 362, Page 549 of the Fort Bend County Deed Records and called to be South.

This metes and bounds description was prepared under 22 Texas Annotated Code 663.21 and reflects the assembly of instruments of record to describe the political boundary limits shown hereon and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Dated this the 25th day of February, 2014.



Larry E. Grayson
Larry E. Grayson RPLS No. 5071
Brown & Gay Engineers, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500

Boundary Closure2

Report Area

Parcel Area (Square Feet): 243222150.7958
 Parcel Area (Acres): 5583.6123

Course Data

Point	Northing	Easting	Direction	Distance
N/A	1007251.45	1005697.87	S89°43'00"E	1834.00
N/A	1007242.38	1007531.85	S00°12'10"W	1613.96
N/A	1005628.43	1007526.14	S00°23'10"W	2431.50
N/A	1003196.99	1007509.75	S12°46'40"W	62.54
N/A	1003136.00	1007495.92	S02°56'10"W	213.03
N/A	1002923.25	1007485.01	S00°09'30"E	2657.90
N/A	1000265.36	1007492.35	S00°06'10"W	1724.00
N/A	998541.36	1007489.26	S27°37'18"E	56.51
N/A	998491.29	1007515.46	S00°55'00"W	1406.40
N/A	997085.07	1007492.96	N89°23'37"E	1270.51
N/A	997098.51	1008763.40	S17°30'13"E	40.58
N/A	997059.82	1008775.60	S65°29'00"W	117.65
N/A	997011.00	1008668.56	S42°36'00"W	195.00
N/A	996867.46	1008536.57	S18°58'00"W	200.00
N/A	996678.32	1008471.57	S00°28'00"W	176.00
N/A	996502.32	1008470.13	S19°47'00"E	400.00
N/A	996125.93	1008605.52	S36°17'00"E	500.00
N/A	995722.88	1008901.41	S38°17'00"E	275.00
N/A	995507.02	1009071.78	S53°47'00"E	117.00
N/A	995437.89	1009166.18	S37°17'00"E	150.00
N/A	995318.54	1009257.04	S57°20'00"E	300.00
N/A	995156.62	1009509.59	S38°20'00"E	200.00
N/A	994999.73	1009633.64	S50°14'00"E	800.00
N/A	994488.00	1010248.56	S61°40'00"E	685.00
N/A	994162.90	1010851.50	S72°40'00"E	11.59
N/A	994159.45	1010862.57	N00°03'10"E	212.73
N/A	994372.18	1010862.76	S78°51'08"E	391.70
N/A	994296.44	1011247.07	N84°10'17"E	331.68
N/A	994330.13	1011577.04	N76°23'23"E	204.37
N/A	994378.22	1011775.67	N70°21'24"E	176.10
N/A	994437.42	1011941.52	N65°02'57"E	120.94
N/A	994488.43	1012051.17	N73°07'51"E	134.93
N/A	994527.59	1012180.29	N40°10'10"E	140.10
N/A	994634.64	1012270.66	N29°07'50"E	206.30
N/A	994814.85	1012371.09	N36°42'30"E	179.60
N/A	994958.83	1012478.44	N46°15'10"E	231.00
N/A	995118.56	1012645.32	N57°46'30"E	210.50
N/A	995230.81	1012823.39	N60°28'30"E	234.75
N/A	995346.50	1013027.66	N63°30'20"E	209.90
N/A	995440.13	1013215.51	N75°53'50"E	245.40
N/A	995499.93	1013453.52	N84°23'30"E	314.25
N/A	995530.64	1013766.26	S87°35'30"E	228.80
N/A	995521.03	1013994.86	S78°18'00"E	130.92
N/A	995494.48	1014123.06	S78°18'00"E	171.22
N/A	995459.76	1014290.72	S71°40'10"E	173.50
N/A	995405.19	1014455.42	S79°09'30"E	326.40
N/A	995343.80	1014775.99	N79°30'30"E	151.50
N/A	995371.38	1014924.96	N50°57'20"E	209.40
N/A	995503.29	1015087.59	N29°11'50"E	147.40
N/A	995631.96	1015159.50	N02°35'50"E	202.20
N/A	995833.95	1015168.66	N07°38'30"W	560.65

		Boundary Closure2		
N/A	996389.62	1015094.11	N06°01'40"W	671.97
N/A	997057.88	1015023.54	S78°30'50"E	117.07
N/A	997034.56	1015138.27	N11°29'10"E	23.31
N/A	997057.41	1015142.91	S69°55'20"E	1402.20
N/A	996576.04	1016459.90		

Circular Curve Data

Point	Northing	Easting
N/A	993035.15	1015165.67
N/A	996560.17	1016503.30

Curve Direction:

Radial In:	S20°04'40"W	CW
D.O.C Arc:	01°31'11"	
D.O.C Chord:	01°31'11"	
Radius:	3770.00	
Delta angle:	01°24'16"	
Tangent length:	46.21	
Arc length:	92.41	
Chord Direction:	S69°13'12"E	
Chord length:	92.41	
External:	0.28	
Middle ordinate:	0.28	
Radial Out:	N21°28'56"E	

Point	Northing	Easting	Direction	Distance
N/A	996543.25	1016546.29	S00°39'06"E	4527.65
N/A	992015.89	1016597.80	S00°40'10"E	222.50
N/A	991793.41	1016600.40	S88°36'40"E	331.42
N/A	991785.38	1016931.72	S00°06'00"E	8803.69
N/A	982981.70	1016947.09	S03°02'20"W	1460.00
N/A	981523.75	1016869.69	S70°59'40"W	193.60
N/A	981460.71	1016686.64	S83°22'20"W	94.60
N/A	981449.79	1016592.67	N78°41'00"W	123.30
N/A	981473.98	1016471.77	N70°30'40"W	196.30
N/A	981539.47	1016286.72	N60°46'40"W	154.40
N/A	981614.85	1016151.97	N54°14'30"W	2586.55
N/A	983126.35	1014053.01	N60°10'20"W	167.80
N/A	983209.81	1013907.44	N64°29'30"W	1714.80
N/A	983948.28	1012359.79	S16°49'30"W	40.16
N/A	983909.83	1012348.17	S00°20'00"W	1525.20
N/A	982384.66	1012339.30	N59°41'40"W	152.20
N/A	982461.46	1012207.90	N44°27'50"W	258.50
N/A	982645.95	1012026.83	N45°43'20"W	328.10
N/A	982875.01	1011791.92	N21°50'30"W	292.20
N/A	983146.23	1011683.21	N19°53'20"W	461.00
N/A	983579.74	1011526.38	N33°23'30"W	889.20
N/A	984322.16	1011037.00	N23°21'00"W	381.20
N/A	984672.14	1010885.91	N33°07'30"W	705.90
N/A	985263.31	1010500.16	N59°50'40"W	535.00
N/A	985532.07	1010037.56	N75°30'40"W	643.50
N/A	985693.07	1009414.53	S87°13'00"W	259.31
N/A	985680.48	1009155.52	S68°53'20"W	397.00
N/A	985537.49	1008785.17	S51°47'20"W	756.00
N/A	985069.85	1008191.15	S47°20'20"W	470.70
N/A	984750.88	1007845.01	S44°25'20"W	240.25
N/A	984579.29	1007676.85	S13°24'20"W	130.20
N/A	984452.64	1007646.67	S31°44'00"W	429.30
N/A	984087.52	1007420.87	S22°44'00"W	149.10
N/A	983950.00	1007363.25	S29°42'00"W	104.75
N/A	983859.01	1007311.35	S31°45'20"W	163.70
N/A	983719.82	1007225.20	S27°51'40"W	210.40

		Boundary Closure2		
N/A	983533.81	1007126.87	S34°59'10"W	374.80
N/A	983226.74	1006911.97	S27°43'40"W	463.00
N/A	982816.90	1006696.55	N59°47'10"W	39.22
N/A	982836.64	1006662.65	N00°28'00"W	5120.00
N/A	987956.47	1006620.95	N89°51'60"W	1756.82
N/A	987960.56	1004864.14	S89°59'20"W	1582.72
N/A	987960.25	1003281.42	N00°05'10"W	1682.65
N/A	989642.90	1003278.89	N89°59'10"W	3011.45
N/A	989643.63	1000267.44	N31°19'40"W	440.85
N/A	990020.20	1000038.23	N61°15'51"W	413.67
N/A	990219.08	999675.51	N63°38'25"W	127.39
N/A	990275.65	999561.36	N69°57'21"W	231.42
N/A	990354.96	999343.96	N84°02'56"W	177.77
N/A	990373.39	999167.15	S81°49'31"W	243.96
N/A	990338.70	998925.66	S76°50'40"W	262.11
N/A	990279.05	998670.43	S83°30'54"W	117.69
N/A	990265.76	998553.49	S63°26'12"W	532.25
N/A	990027.74	998077.43	S54°50'09"W	356.23
N/A	989822.59	997786.21	S44°22'37"W	544.99
N/A	989433.05	997405.06	S28°38'41"W	555.68
N/A	988945.38	997138.68	S20°42'53"W	316.44
N/A	988649.40	997026.75	S14°05'57"W	773.72
N/A	987898.99	996838.28	S06°56'47"E	674.56
N/A	987229.39	996919.86	S00°51'45"E	899.67
N/A	986329.82	996933.40	S00°00'00"W	583.32
N/A	985746.50	996933.40	S90°00'00"W	830.56
N/A	985746.50	996102.84	N00°00'00"E	14347.22
N/A	1000093.72	996102.84	S35°54'45"E	404.28
N/A	999766.29	996339.97	S53°07'30"E	178.46
N/A	999659.20	996482.73	S71°31'00"E	300.73
N/A	999563.86	996767.94	S78°57'15"E	300.54
N/A	999506.28	997062.92	S73°50'05"E	206.79
N/A	999448.71	997261.53	S87°53'05"E	183.89
N/A	999441.92	997445.30	N85°48'00"E	311.23
N/A	999464.71	997755.69	N82°02'35"E	191.06
N/A	999491.16	997944.91	N87°46'05"E	300.24
N/A	999502.86	998244.92	N84°02'40"E	200.07
N/A	999523.61	998443.91	N87°05'55"E	211.83
N/A	999534.34	998655.47	N87°13'25"E	315.20
N/A	999549.60	998970.30	S75°09'25"E	348.37
N/A	999460.36	999307.05	S52°33'35"E	301.30
N/A	999277.19	999546.27	S37°42'30"E	172.73
N/A	999140.54	999651.92	S61°05'10"E	146.38
N/A	999069.76	999780.06	S73°10'00"E	269.73
N/A	998991.65	1000038.23	S68°04'50"E	2041.63
N/A	998229.51	1001932.27	S76°02'10"E	999.67
N/A	997988.28	1002902.40	S79°34'20"E	320.08
N/A	997930.34	1003217.19	N73°55'30"E	196.72
N/A	997984.81	1003406.22	N52°35'50"E	658.02
N/A	998384.51	1003928.94	N48°44'00"E	247.46
N/A	998547.72	1004114.94	S00°00'00"W	54.85
N/A	998492.87	1004114.94	N48°44'00"E	37.99
N/A	998517.93	1004143.50	N72°44'20"E	277.48
N/A	998600.26	1004408.48	N63°43'20"E	114.44
N/A	998650.93	1004511.09	N54°03'20"E	145.76
N/A	998736.49	1004629.10	N43°36'20"E	706.04
N/A	999247.74	1005116.05	N42°01'20"E	285.46
N/A	999459.80	1005307.14	N34°49'20"E	345.87
N/A	999743.74	1005504.64	N30°43'15"E	402.71
N/A	1000089.93	1005710.37	N00°06'00"W	80.27
N/A	1000170.20	1005710.23	N28°53'21"E	59.08
N/A	1000221.93	1005738.77	N23°57'27"E	299.97
N/A	1000496.06	1005860.58	N16°15'51"E	331.81

Boundary Closure2

N/A	1000814.59	1005953.51	N19°01'38"E	580.70
N/A	1001363.56	1006142.83	N44°58'18"E	189.22
N/A	1001497.43	1006276.56	N66°56'01"E	188.69
N/A	1001571.35	1006450.17	N77°44'37"E	323.41
N/A	1001640.01	1006766.20	N81°28'55"E	55.99
N/A	1001648.30	1006821.58	N12°18'48"W	107.20
N/A	1001753.04	1006798.72	N07°07'38"E	117.89
N/A	1001870.02	1006813.34	N15°08'03"W	58.15
N/A	1001926.15	1006798.16	N25°50'24"W	58.30
N/A	1001978.62	1006772.75	N34°49'05"W	274.94
N/A	1002204.34	1006615.77	N38°03'02"W	118.88
N/A	1002297.95	1006542.50	N16°17'08"W	54.86
N/A	1002350.61	1006527.11	N03°12'23"E	7.00
N/A	1002357.60	1006527.50	N86°00'03"W	239.04
N/A	1002374.27	1006289.05	N84°46'54"W	585.18
N/A	1002427.50	1005706.29	N00°06'00"W	4823.96
N/A	1007251.45	1005697.87		

Boundary Closures

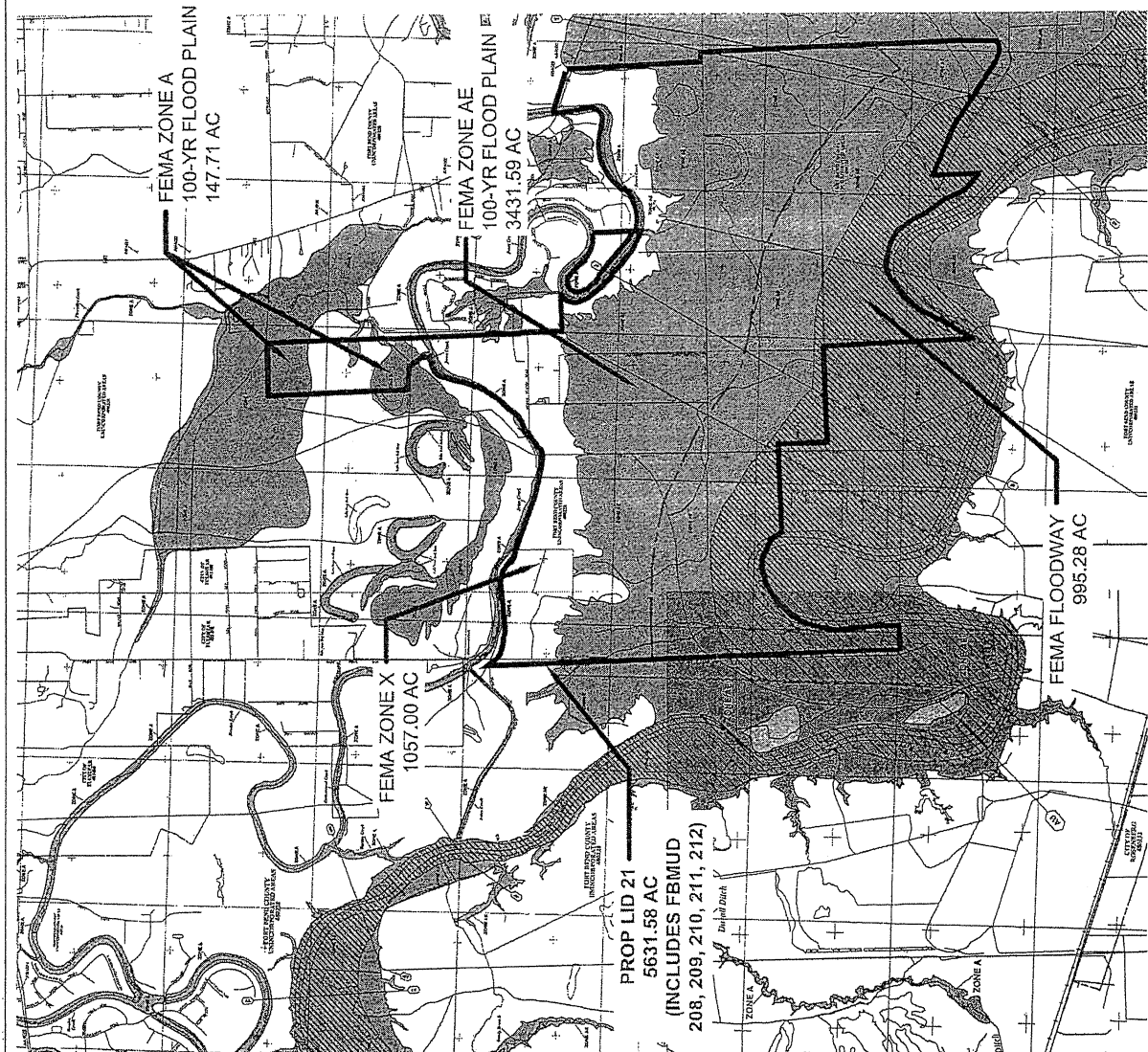
User Name: Gillogly
 Project: FOSTER FARMS
 Report Area

Date: 02-05-13
 Time: 14:01:24
 Page: 1

=====
 Lot Area (Square Feet): 2089650
 Lot Area (Acres): 47.9718

Course Data

Node ID	Northing	Easting	Direction	Distance
1	994499.20886583	1010862.87869970	N75°04'00"W	14.61
2	994502.97498598	1010848.75764605	N64°54'00"W	170.00
3	994575.08888785	1010694.81095022	N59°54'00"W	164.00
4	994657.33664874	1010552.92611725	N47°02'00"W	566.00
5	995043.10683109	1010138.75542006	N48°54'00"W	1000.00
6	995700.48207688	1009385.19202776	N62°04'00"W	242.00
7	995813.84549803	1009171.38666125	N37°29'00"W	447.00
8	996168.55358158	1008899.37347138	N10°20'00"W	123.00
9	996289.55862595	1008877.31039731	N22°41'00"W	145.00
10	996423.34292031	1008821.39293508	N04°35'00"E	166.50
11	996589.31048081	1008834.69777853	N29°03'00"E	161.50
12	996730.49318293	1008913.11776720	N59°03'00"E	150.00
13	996807.63666183	1009041.76023166	N86°43'00"E	300.00
14	996824.81874743	1009341.26778739	S44°11'00"E	600.00
15	996394.55072278	1009759.44170690	S35°19'00"E	225.00
16	996210.95759347	1009889.51308296	S56°05'00"E	400.00
17	995987.76298300	1010221.45308636	S69°31'00"E	300.00
18	995882.78251314	1010502.48529261	S88°24'00"E	300.00
19	995874.40602152	1010802.36832712	N77°12'00"E	63.36
20	995888.44437910	1010864.15838879	S00°03'10"W	1389.24
1	994499.20886583	1010862.87869970		



PANEL 0088L
FIRM
 FLOOD INSURANCE RATE MAP
 FORT BEND COUNTY,
 TEXAS
 AND INCORPORATED AREAS
 PANEL 10 OF 575
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)
 COORDINATE SYSTEM: NAD83 UTM ZONE 18Q
 MAP NUMBER: 48167C028L
 MAP REVISED: APRIL 2, 2014
 FEDERAL EMERGENCY MANAGEMENT AGENCY

PANEL 0155L
FIRM
 FLOOD INSURANCE RATE MAP
 FORT BEND COUNTY,
 TEXAS
 AND INCORPORATED AREAS
 PANEL 110 OF 575
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)
 COORDINATE SYSTEM: NAD83 UTM ZONE 18Q
 MAP NUMBER: 48167C028L
 MAP REVISED: APRIL 2, 2014
 FEDERAL EMERGENCY MANAGEMENT AGENCY

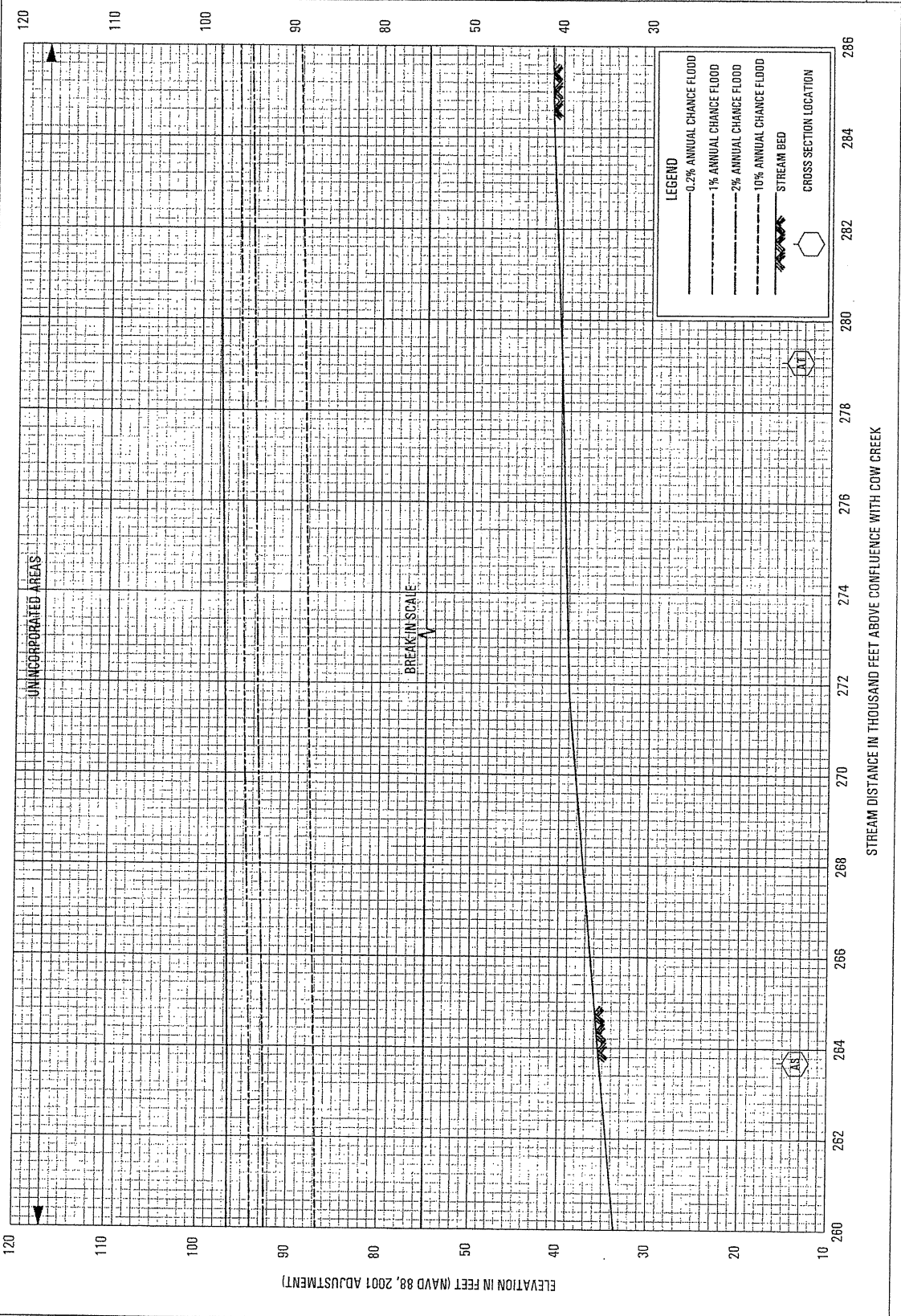
PANEL 0282L
FIRM
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 FORT BEND COUNTY,
 TEXAS
 AND INCORPORATED AREAS
 PANEL 225 OF 575
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)
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 FEDERAL EMERGENCY MANAGEMENT AGENCY

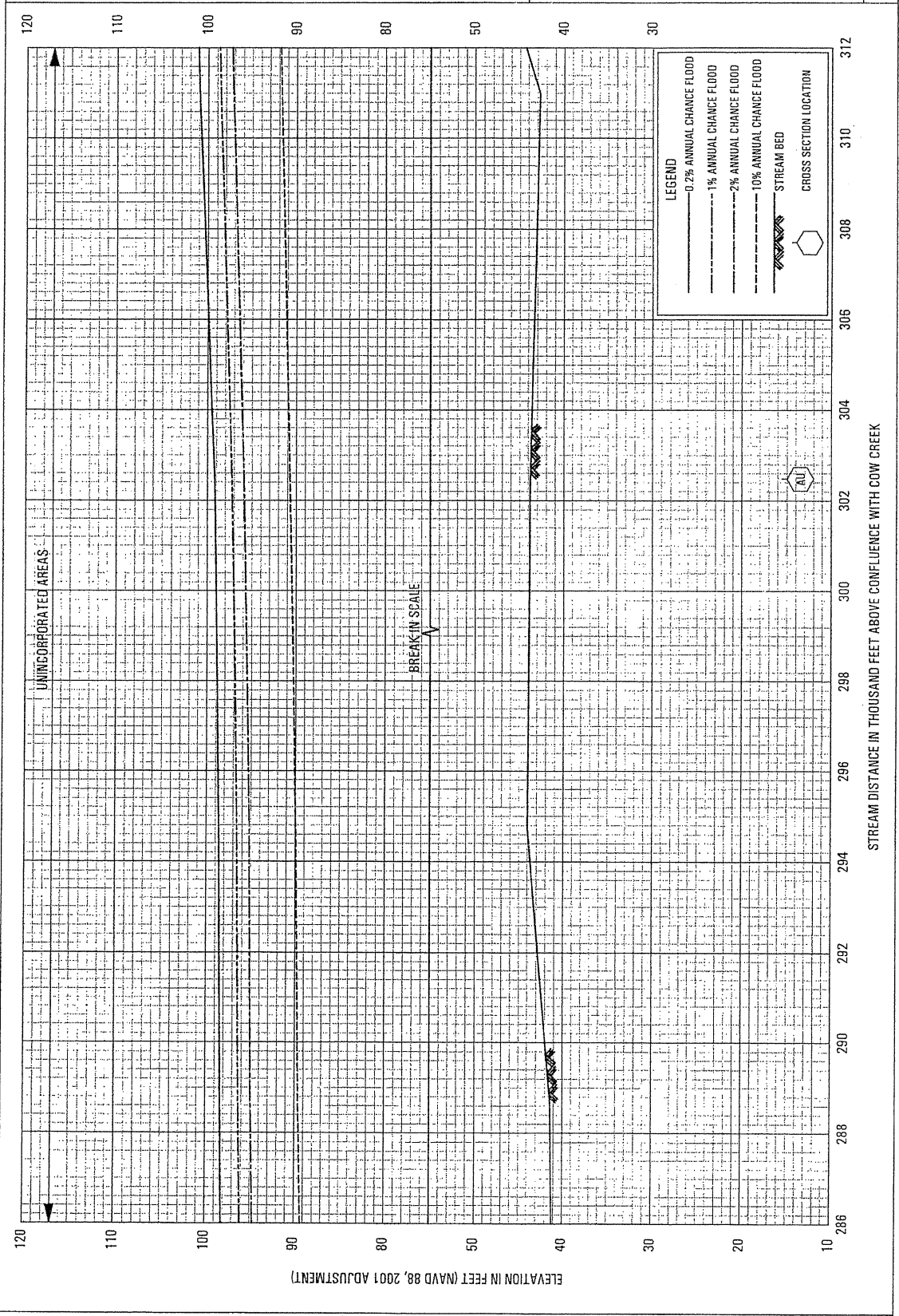
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 FLOOD INSURANCE RATE MAP
 FORT BEND COUNTY,
 TEXAS
 AND INCORPORATED AREAS
 PANEL 226 OF 575
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)
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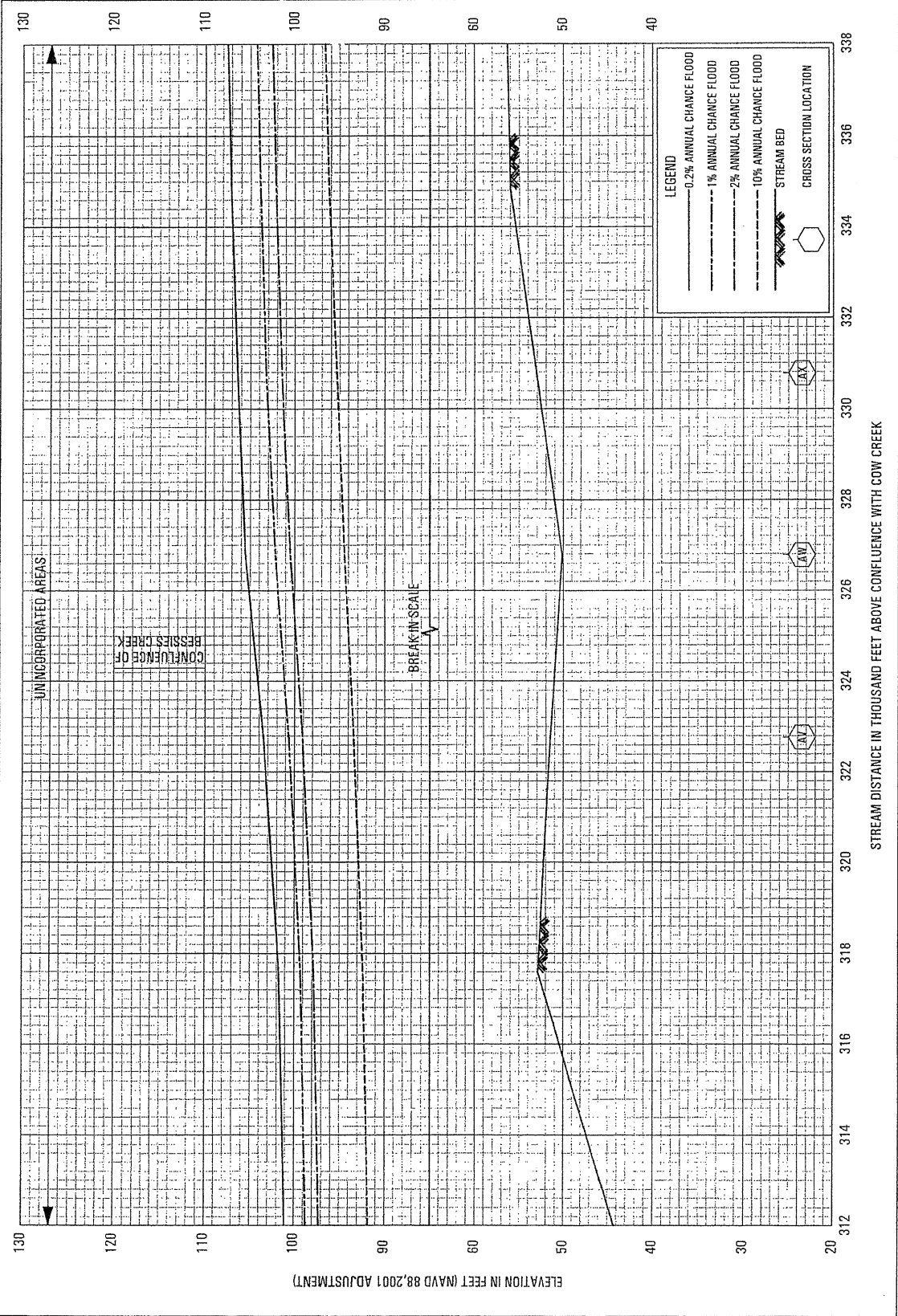
EGE
 Brown & Gay Engineers, Inc.
 14525 Westpark Drive, Suite 100
 Houston, Texas 77040
 Telephone: 281-455-8700
 Fax: 281-455-8700
 www.browngay.com

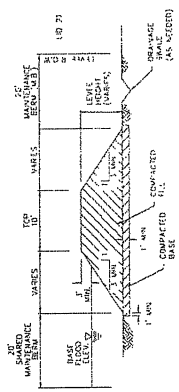
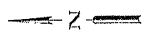
L.I.D. CREATION
 FORT BEND COUNTY, TEXAS
 FLOOD INSURANCE RATE MAP

Scale:	Job No.:	Date:	Exhibit:
NTS	2207-00	AUG_2014	5







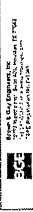


SECTION "A-A"
NOTES

LEGEND

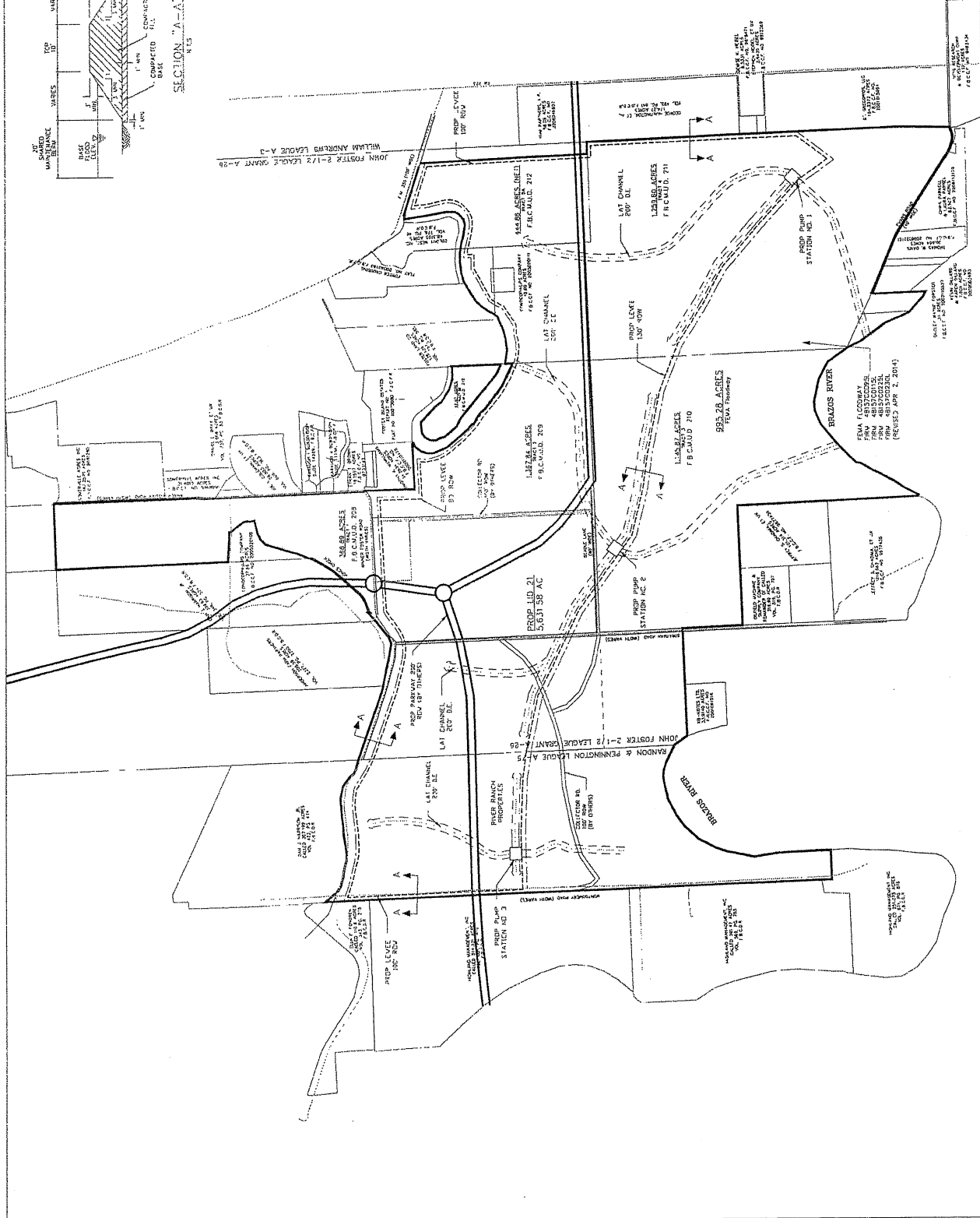
- 1/2' 21' BOUNDARY
- INTERNAL MUD BOUNDARIES
- LEVEE BOUNDARY
- 1'-3" FLOW (MUD) VARIES
- PROPOSED PARKWAY (200' ROW)
- PROPOSED COLLECTOR (100' ROW)

- NOTES:
1. ALL PROPOSED STRUCTURES SHALL BE CONSTRUCTED TO MEET THE DESIGN CRITERIA SET FORTH IN THE SPECIFICATIONS.
 2. ALL PROPOSED STRUCTURES SHALL BE CONSTRUCTED TO MEET THE DESIGN CRITERIA SET FORTH IN THE SPECIFICATIONS.
 3. INTERNAL DRAINAGE & DETENTION (BY OTHERS)
 4. CONCEPTUAL LAYOUT SUBJECT TO CHANGE



PRELIMINARY LEVEE & OFF-SITE DRAINAGE LAYOUT

PROJECT NO.	13021-01	SHEET NO.	7
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BRAZOS RIVER

PROPOSED COLLECTOR

PROPOSED PARKWAY

PROPOSED LEVEE

PROPOSED PUMP STATION NO. 1

PROPOSED PUMP STATION NO. 2

PROPOSED PUMP STATION NO. 3

PROPOSED PUMP STATION NO. 4

PROPOSED PUMP STATION NO. 5

PROPOSED PUMP STATION NO. 6

PROPOSED PUMP STATION NO. 7

PROPOSED PUMP STATION NO. 8

PROPOSED PUMP STATION NO. 9

PROPOSED PUMP STATION NO. 10

PROPOSED PUMP STATION NO. 11

PROPOSED PUMP STATION NO. 12

PROPOSED PUMP STATION NO. 13

PROPOSED PUMP STATION NO. 14

PROPOSED PUMP STATION NO. 15

PROPOSED PUMP STATION NO. 16

PROPOSED PUMP STATION NO. 17

PROPOSED PUMP STATION NO. 18

PROPOSED PUMP STATION NO. 19

PROPOSED PUMP STATION NO. 20

PROPOSED PUMP STATION NO. 21

PROPOSED PUMP STATION NO. 22

PROPOSED PUMP STATION NO. 23

PROPOSED PUMP STATION NO. 24

PROPOSED PUMP STATION NO. 25

PROPOSED PUMP STATION NO. 26

PROPOSED PUMP STATION NO. 27

PROPOSED PUMP STATION NO. 28

PROPOSED PUMP STATION NO. 29

PROPOSED PUMP STATION NO. 30

PROPOSED PUMP STATION NO. 31

PROPOSED PUMP STATION NO. 32

PROPOSED PUMP STATION NO. 33

PROPOSED PUMP STATION NO. 34

PROPOSED PUMP STATION NO. 35

PROPOSED PUMP STATION NO. 36

PROPOSED PUMP STATION NO. 37

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PROPOSED PUMP STATION NO. 94

PROPOSED PUMP STATION NO. 95

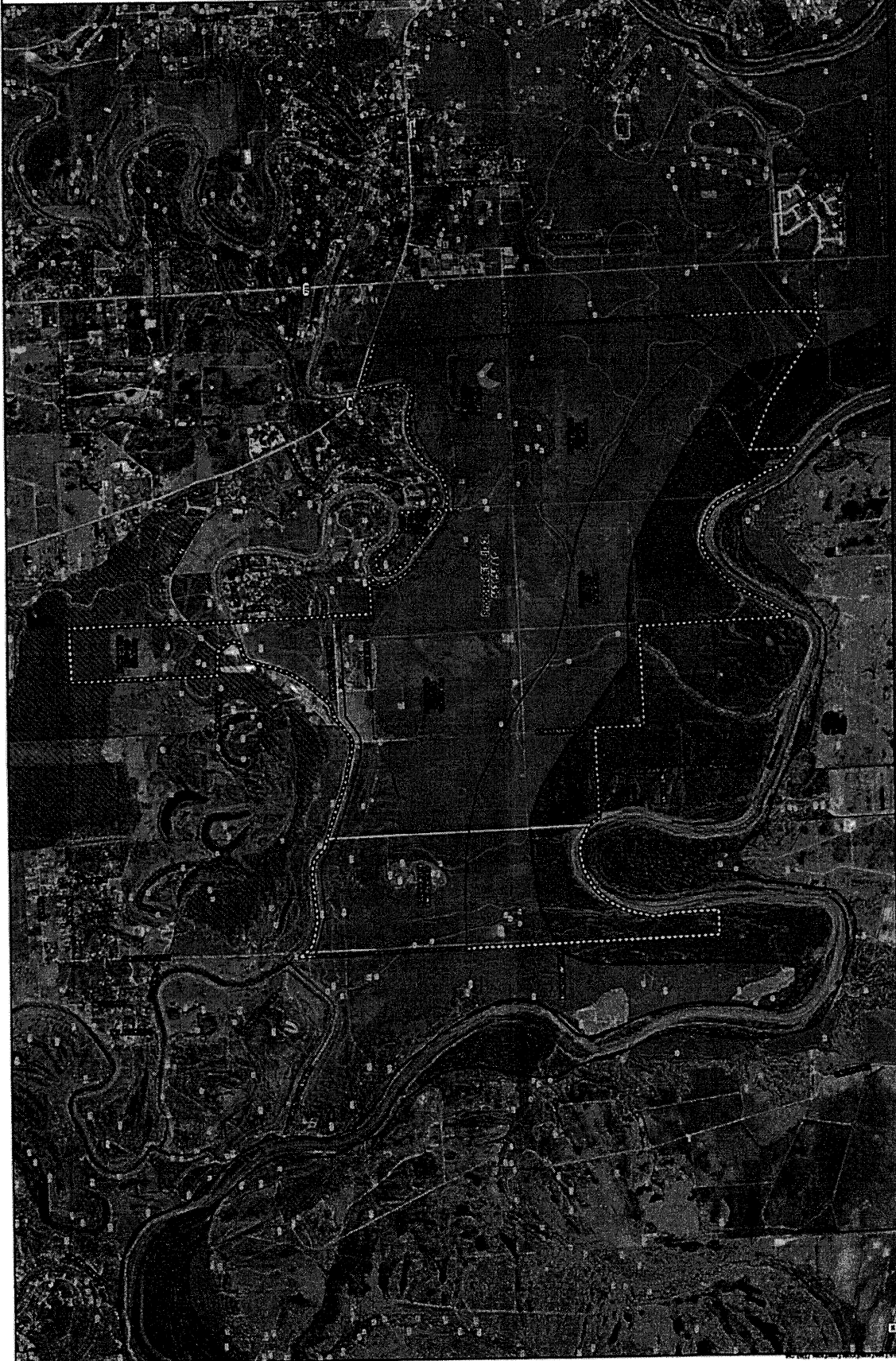
PROPOSED PUMP STATION NO. 96

PROPOSED PUMP STATION NO. 97

PROPOSED PUMP STATION NO. 98

PROPOSED PUMP STATION NO. 99

PROPOSED PUMP STATION NO. 100



- Level Boundary
- Contour - 10' Interval
- MUD Boundary
- MUD LID 21
- Flow Path Properties
- FEMA Effective Flood Type
- 100 yr Floodplain
- 100 yr Floodplain Zone A
- 100 yr Floodplain Zone B
- 500 yr Floodplain



LID 21 Creation

Brown & Cal Engineers, Inc.

LID 21 Creation

3

Resolution No. 2015-29~~4~~
~~ORDINANCE NO. 2015-1199~~

**RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, GRANTING
CONSENT TO THE CREATION OF FORT BEND COUNTY LEVEE
IMPROVEMENT DISTRICT NO. 21, A POLITICAL SUBDIVISION TO BE
SITUATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE
CITY OF FULSHEAR, TEXAS**

WHEREAS, on or about the ___ day of ___, 2015, a petition for consent to the creation, organization and establishment of a levee improvement district (Fort Bend County Levee Improvement District No. 21) to be situated within the extraterritorial jurisdiction of the City of Fulshear (the "City"), was submitted to the City Commission of the City; and

WHEREAS, said petition was duly executed pursuant to the provisions of Chapter 57, Subchapter B, Texas Water Code, by the holders of title to a majority of the acreage sought to be included in the District; and

WHEREAS, all of the land proposed to be included in Fort Bend County Levee Improvement District No. 21 is located entirely within the City's extraterritorial jurisdiction; and

WHEREAS, Section 42.042(a) of the Texas Local Government Code requires the consent of the City to the creation of a political subdivision, one purpose of which is to provide drainage and flood protection, in the City's extraterritorial jurisdiction; and

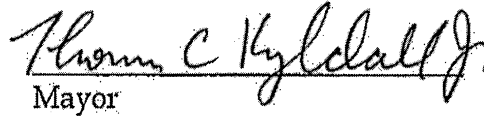
WHEREAS, after due consideration, it is the opinion of the City Commission that consent to the creation of Fort Bend County Levee Improvement District No. 21 should be given;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
THE CITY OF FULSHEAR, TEXAS:**

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

Section 2. The City of Fulshear, Texas, hereby consents to the creation of the Fort Bend County Levee Improvement District No. 21, a political subdivision to be situated within the extraterritorial jurisdiction of the City of Fulshear, Texas, containing a total area of 5,583.61 acres, more or less, and more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof. Furthermore that said consent is based on an agreement to the Consent Conditions as detailed in the hereto attached Exhibit "B".

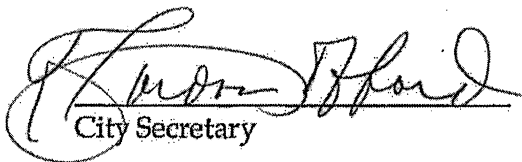
ADOPTED AND APPROVED this 17th day of November, 2015.



Mayor

ATTEST:

APPROVED AS TO FORM:



City Secretary

City Attorney

Attachments:

Exhibit A - Metes and Bounds Description of the Land

Exhibit B - Conditions to Consent

EXHIBIT A

F.B.C.L.I.D. NO. 21
FOSTER FARMS & RIVER RANCH
5,583.61 ACRES

FEBRUARY 25, 2014
JOB NO. 2207-00
PAGE 1 OF 10

DESCRIPTION OF A 5,583.61 ACRE TRACT OF LAND SITUATED
IN THE JOHN FOSTER 2-1/2 LEAGUE GRANT, ABSTRACT NO. 26
AND THE RANDON & PENNINGTON LEAGUE, ABSTRACT NO. 75
FORT BEND COUNTY, TEXAS

BEING a 5,583.61 acre tract of land situated in the John Foster 2-1/2 League Grant, Abstract No. 26 and the Randon & Pennington League, Abstract No. 75 of Fort Bend County, Texas and being part of a called 3,063.45 acre tract of land described as First Tract and of a called 1,410.69 acre tract of land described as Second Tract in a conveyance to Foster Farms, Inc. recorded in Volume 362, Page 549 of the Fort Bend County Deed Records (F.B.C.D.R.) also being all of a called 1,081.9 acre tract of land described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 9231591, said 5,583.61 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the most northerly Northwest corner of said 3,063.45 acre tract and the Northeast corner of a called 339.63 acre tract described and recorded in Volume 349, Page 324 of the F.B.C.D.R. also the Southwest corner of a called 314 acre tract described and recorded in Volume 465, Page 585 of the F.B.C.D.R.;

THENCE, S 89° 43' 00" E, a distance of 1,834.00 feet to the most northerly northeast corner of said 3,063.45 acre tract and being in the western right-of-way line of Winner-Foster Road (Width Varies);

THENCE, along the western and northern right-of-way lines of said Winner-Foster Road the following courses and distances:

S 00° 12' 10" W, a distance of 1,613.96 feet to a point for corner;

S 00° 23' 10" W, a distance of 2,431.50 feet to a point for corner;

S 12° 46' 40" W, a distance of 62.54 feet to a point for corner;

S 02° 56' 10" W, a distance of 213.03 feet to a point for corner;

S 00° 09' 30" E, a distance of 2,657.90 feet to a point for corner;

S 00° 06' 10" W, a distance of 1,724.00 feet to a point for corner;

THENCE, S 27° 37' 13" E, a distance of 56.51 feet to a point for corner in the west line of a called 34,263.4 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

THENCE, along the West and South lines of said 34,263.4 acre tract the following courses and distances:

S 00° 55' 00" W, a distance of 1,406.40 feet to a point for corner;

N 89° 23' 37" E, a distance of 1,270.51 feet to a point for corner;

THENCE, S 17° 30' 13" E, a distance of 40.58 feet to a point for corner and being in the western line of a called 34,263.4 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

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PAGE 2.

THENCE, along the western and southern lines of said 34.2634 acre tract the following courses and distances:

S 65° 29' 00" W, a distance of 117.65 feet to a point for corner;
S 42° 36' 00" W, a distance of 195.00 feet to a point for corner;
S 18° 58' 00" W, a distance of 200.00 feet to a point for corner;
S 00° 28' 00" W, a distance of 176.00 feet to a point for corner;
S 19° 47' 00" E, a distance of 400.00 feet to a point for corner;
S 36° 17' 00" E, a distance of 500.00 feet to a point for corner;
S 38° 17' 00" E, a distance of 275.00 feet to a point for corner;
S 53° 47' 00" E, a distance of 117.00 feet to a point for corner;
S 37° 17' 00" E, a distance of 150.00 feet to a point for corner;
S 57° 20' 00" E, a distance of 300.00 feet to a point for corner;
S 38° 20' 00" E, a distance of 200.00 feet to a point for corner;
S 50° 14' 00" E, a distance of 800.00 feet to a point for corner;
S 61° 40' 00" E, a distance of 685.00 feet to a point for corner;
S 72° 40' 00" E, a distance of 11.89 feet to a point for corner being in the West line of said 1,410.69 acre tract;

THENCE, N 00° 03' 10" E, a distance of 212.73 feet to a point for corner being in the centerline of Jones Creek;

THENCE, along the centerline of Jones Creek the following courses and distances:

S 78° 51' 08" E, a distance of 391.70 feet to a point for corner;
N 84° 10' 17" E, a distance of 331.68 feet to a point for corner;
N 76° 23' 23" E, a distance of 204.37 feet to a point for corner;
N 70° 21' 24" E, a distance of 176.10 feet to a point for corner;
N 65° 02' 57" E, a distance of 120.94 feet to a point for corner;

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N 73° 07' 51" E, a distance of 134.93 feet to a point for corner;
N 40° 10' 10" E, a distance of 140.10 feet to a point for corner;
N 29° 07' 50" E, a distance of 206.30 feet to a point for corner;
N 36° 42' 30" E, a distance of 179.60 feet to a point for corner;
N 46° 15' 10" E, a distance of 231.00 feet to a point for corner;
N 57° 46' 30" E, a distance of 210.50 feet to a point for corner;
N 60° 28' 30" E, a distance of 234.75 feet to a point for corner;
N 63° 30' 20" E, a distance of 209.90 feet to a point for corner;
N 75° 53' 50" E, a distance of 245.40 feet to a point for corner;
N 84° 23' 30" E, a distance of 314.25 feet to a point for corner;
S 87° 35' 30" E, a distance of 228.80 feet to a point for corner;
S 78° 18' 00" E, a distance of 302.14 feet to a point for corner;
S 71° 40' 10" E, a distance of 173.50 feet to a point for corner;
S 79° 09' 30" E, a distance of 326.40 feet to a point for corner;
N 79° 30' 30" E, a distance of 151.50 feet to a point for corner;
N 50° 57' 20" E, a distance of 209.40 feet to a point for corner;
N 29° 11' 50" E, a distance of 147.40 feet to a point for corner;
N 02° 35' 50" E, a distance of 202.20 feet to a point for corner;
N 07° 38' 30" W, a distance of 560.65 feet to a point for corner;
N 06° 01' 40" W, a distance of 671.97 feet to the most northerly northwest corner of the herein described tract;

THENCE, S 78° 30' 50" E, a distance of 117.07 feet to the Southwest corner of a called 0.72 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R.;

THENCE, N 11° 29' 10" E, a distance of 23.31 feet to Northwest corner of said 0.72 acre tract and being in the southern right-of-way line of F. M. 359 (100-foot wide);

x:\FOSTER FARMS\VEVEE_MUD_CREATION_1279\06_SURVEY\04_FINALS\MBS583_61MB1.DOCX

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THENCE, along the southern right-of-way lines of said F. M. 359 the following courses and distances:

S 69° 55' 20" E, a distance of 1,402.20 feet to the point of curvature of a curve to the right;

In an Southeasterly direction along said curve to the right, a distance of 92.41 feet, having a radius of 3,770.00 feet, a central angle of 01° 24' 16" and a chord which bears S 69° 13' 12" E, 92.41 feet to the most easterly Northeast corner of the herein described tract and being the Northwest corner of a called 26.00 acre tract described and recorded under F.B.C.C.F. No. 9725243;

THENCE, S 00° 39' 06" E, a distance of 4,527.65 feet along the line common to said 26.00 acre tract and said 1,410.69 acre tract to a point being in the southern right-of-way line of Beadle Drive (80-foot wide)

THENCE, S 00° 40' 10" E, a distance of 222.50 feet to a point for corner;

THENCE, S 88° 36' 40" E, a distance of 331.42 feet to a point for corner being in the West line of a called 174.27 acre tract described and recorded in Volume 493, Page 841 of the F.B.C.D.R.;

THENCE, along the East lines of said 1,410.69 acre tract and the West lines of said 174.27 acre tract and a called 6.5331 acre tract described and recorded under F.B.C.C.F. No. 9818471 and a called 3.6430 acre tract described and recorded under F.B.C.C.F. No. 9812369 also a called 194.2072 acre tract described and recorded under F.B.C.C.F. No. 2001015964 the following courses and distances:

S 00° 06' 00" E, a distance of 8,803.69 feet to a point for corner;

S 03° 02' 20" W, a distance of 1,460.00 feet to the Southeast corner of the herein described tract and the Northwest corner of a called 132 acres described and recorded under F.B.C.C.F. No. 9465434;

THENCE, along the southern lines of said 1,410.69 acre tract and the northern lines of Evans Road (40-foot wide) the following courses and distances:

S 70° 59' 40" W, a distance of 193.60 feet to a point for corner;

S 83° 22' 20" W, a distance of 94.60 feet to a point for corner;

N 78° 41' 00" W, a distance of 123.30 feet to a point for corner;

N 70° 30' 40" W, a distance of 196.30 feet to a point for corner;

N 60° 46' 40" W, a distance of 154.40 feet to a point for corner;

N 54° 14' 30" W, a distance of 2,586.55 feet to a point for corner;

N 60° 10' 20" W, a distance of 167.80 feet to a point for corner;

N 64° 29' 30" W, a distance of 1,714.80 feet to a point for corner;

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THENCE, S 16° 49' 30" W, a distance of 40.16 feet over said Evans Road to the Northeast corner of a called 16.3 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R. also the Northwest corner of a called 30 acre tract described and recorded under F.B.C.C.E. No. 2002110327;

THENCE, S 00° 20' 00" W, a distance of 1,525.20 feet along the line common to said 16.3 acre tract and said 30 acre tract to a point for corner on the northern high bank of the Brazos River;

THENCE along the northern high bank of the Brazos River the following twenty-four (24) courses and distances:

- N 59° 41' 40" W, a distance of 152.20 feet to an angle point;
- N 44° 27' 50" W, a distance of 258.50 feet to an angle point;
- N 45° 43' 20" W, a distance of 328.10 feet to an angle point;
- N 21° 50' 30" W, a distance of 292.20 feet to an angle point;
- N 19° 53' 20" W, a distance of 461.00 feet to an angle point;
- N 33° 23' 30" W, a distance of 889.20 feet to an angle point;
- N 23° 21' 00" W, a distance of 381.20 feet to an angle point;
- N 33° 07' 30" W, a distance of 705.90 feet to an angle point;
- N 59° 50' 40" W, a distance of 535.00 feet to an angle point;
- N 75° 30' 40" W, a distance of 643.50 feet to an angle point;
- S 87° 13' 00" W, a distance of 259.31 feet to an angle point;
- S 68° 53' 20" W, a distance of 397.00 feet to an angle point;
- S 51° 47' 20" W, a distance of 756.00 feet to an angle point;
- S 47° 20' 20" W, a distance of 470.70 feet to an angle point;
- S 44° 25' 20" W, a distance of 240.25 feet to an angle point;
- S 13° 24' 20" W, a distance of 130.20 feet to an angle point;
- S 31° 44' 00" W, a distance of 429.30 feet to an angle point;
- S 22° 44' 00" W, a distance of 149.10 feet to an angle point;

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S 29° 42' 00" W, a distance of 104.75 feet to an angle point;

S 31° 45' 20" W, a distance of 163.70 feet to an angle point;

S 27° 51' 40" W, a distance of 210.40 feet to an angle point;

S 34° 59' 10" W, a distance of 374.80 feet to an angle point;

S 27° 43' 40" W, a distance of 463.00 feet to an angle point;

N 59° 47' 10" W, a distance of 39.22 feet to a point for corner being in the East line of a called 218.562 acre tract described and recorded under F.B.C.C.F. No. 9677436;

THENCE, N 00° 28' 00" W, a distance of 5,120.00 feet along the East line of said 218.562 acre tract and the East line of a called 101.314 acre tract described and recorded under F.B.C.C.F. No. 9677438 to a point for corner;

THENCE, N 89° 52' 00" W, a distance of 1,756.82 feet along the North line of said 101.314 acre tract to an angle point;

THENCE, S 89° 59' 20" W, a distance of 1,582.72 feet to a point for corner being in the East right-of-way line of Stratmore Road (Width Varies);

THENCE, N 00° 05' 10" W, a distance of 1,682.65 feet along said East right-of-way line to a point for corner;

THENCE, N 89° 59' 10" W, a distance of 3,011.45 feet to a point for corner on the high bank of the Brazos River;

THENCE, N 31° 19' 40" W, a distance of 440.85 feet to a point for corner being in the West line of said 3,063.45 acre tract and the East line of said 1,081.9 acre tract also being the western line of said John Foster 2-1/2 League Grant and the eastern line of said Randon & Pennington League;

THENCE along the northern high bank of the Brazos River the following sixteen (16) courses and distances:

N 61° 15' 51" W, a distance of 413.67 feet to an angle point;

N 63° 38' 25" W, a distance of 127.39 feet to an angle point;

N 69° 57' 21" W, a distance of 231.42 feet to an angle point;

N 84° 02' 56" W, a distance of 177.77 feet to an angle point;

S 81° 49' 31" W, a distance of 243.96 feet to an angle point;

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S 76° 50' 40" W, a distance of 262.11 feet to an angle point;
S 83° 30' 54" W, a distance of 117.69 feet to an angle point;
S 63° 26' 12" W, a distance of 532.25 feet to an angle point;
S 54° 50' 09" W, a distance of 356.23 feet to an angle point;
S 44° 22' 37" W, a distance of 544.99 feet to an angle point;
S 28° 38' 41" W, a distance of 555.68 feet to an angle point;
S 20° 42' 53" W, a distance of 316.44 feet to an angle point;
S 14° 05' 57" W, a distance of 773.72 feet to an angle point;
S 06° 56' 47" E, a distance of 674.56 feet to an angle point;
S 00° 51' 45" E, a distance of 899.67 feet to an angle point;
SOUTH, a distance of 583.32 feet to a point for corner;

THENCE, WEST, a distance of 830.56 feet to the Southwest corner of the herein described tract and the Southwest corner of said 1,081.9 acre tract being an interior ell corner of a called 251.075 acre tract described and recorded in Volume 671, Page 876 of the F.B.C.D.R.;

THENCE, NORTH, a distance of 14,347.22 feet along the East lines of said 251.075-acre tract and a called 391.47 acre tract described and recorded in Volume 569, Page 765 of the F.B.C.D.R. also a called 514.321 acre tract described and recorded in Volume 301, Page 410 of the F.B.C.D.R. and a called 110.8 acre tract described and recorded in Volume 343, Page 276 of the F.B.C.D.R. to the Northwest corner of the herein described tract and the Northwest corner of said 1,081.9 acre tract and the Southwest corner of a called 367.199 acre tract described and recorded in Volume 422, Page 474 of the F.B.C.D.R., said point being in the centerline of Jones Creek;

THENCE, along the North-lines of said 1,081.9-acre tract and the South-lines of said 367.199-acre tract and with the centerline meanders of said Jones Creek the following seventeen (17) courses and distances:

S 35° 54' 45" E, a distance of 404.28 feet to an angle point;
S 53° 07' 30" E, a distance of 178.46 feet to an angle point;
S 71° 31' 00" E, a distance of 300.73 feet to an angle point;
S 78° 57' 15" E, a distance of 300.54 feet to an angle point;
S 73° 50' 05" E, a distance of 206.79 feet to an angle point;

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S 87° 53' 05" E, a distance of 183.89 feet to an angle point;
N 85° 48' 00" E, a distance of 311.23 feet to an angle point;
N 82° 02' 35" E, a distance of 191.06 feet to an angle point;
N 87° 46' 05" E, a distance of 300.24 feet to an angle point;
N 84° 02' 40" E, a distance of 200.07 feet to an angle point;
N 87° 05' 55" E, a distance of 211.83 feet to an angle point;
N 87° 13' 25" E, a distance of 315.20 feet to an angle point;
S 75° 09' 25" E, a distance of 348.37 feet to an angle point;
S 52° 33' 35" E, a distance of 301.30 feet to an angle point;
S 37° 42' 30" E, a distance of 172.73 feet to an angle point;
S 61° 05' 10" E, a distance of 146.38 feet to an angle point;
S 73° 10' 00" E, a distance of 269.73 feet to the Northeast corner of said 1,081.9 acre tract and the most westerly Northwest corner of said 3,063.45 acre tract;

THENCE, continuing along the meanders of said Jones Creek and with the Northwestern lines of said 3,063.45 acre tract also being the Southwestern lines of a called 208.59 acre tract described and recorded in Volume 2227, Page 2203 of the F.B.C.D.R. and a called 339.63 acre tract described and recorded in Volume 349, Page 524 of the F.B.C.D.R. the following sixteen (16) courses and distances:

S 68° 04' 50" E, a distance of 2,041.63 feet to an angle point;
S 76° 02' 10" E, a distance of 999.67 feet to an angle point;
S 79° 34' 20" E, a distance of 320.08 feet to an angle point;
N 73° 55' 30" E, a distance of 196.72 feet to an angle point;
N 52° 35' 50" E, a distance of 658.02 feet to an angle point;
N 48° 44' 00" E, a distance of 247.46 feet to an angle point;
SOUTH, a distance of 54.85 feet to an angle point;
N 48° 44' 00" E, a distance of 37.99 feet to an angle point;

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N 72° 44' 20" E, a distance of 277.48 feet to an angle point;

N 63° 43' 20" E, a distance of 114.44 feet to an angle point;

N 54° 03' 20" E, a distance of 145.76 feet to an angle point;

N 43° 36' 20" E, a distance of 706.04 feet to an angle point;

N 42° 01' 20" E, a distance of 285.46 feet to an angle point;

N 34° 49' 20" E, a distance of 345.87 feet to an angle point;

N 30° 43' 15" E, a distance of 402.71 feet to an angle point;

N 00° 06' 00" W, a distance of 80.27 feet to the most southern corner of a called 27.66 acre tract described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2005020109;

THENCE, along the East and North lines of said 27.66 acre tract the following seventeen (17) courses and distances:

N 28° 53' 21" E, a distance of 59.08 feet to an angle point;

N 23° 57' 27" E, a distance of 299.97 feet to an angle point;

N 16° 15' 51" E, a distance of 331.81 feet to an angle point;

N 19° 01' 38" E, a distance of 580.70 feet to an angle point;

N 44° 58' 18" E, a distance of 189.22 feet to an angle point;

N 66° 56' 01" E, a distance of 188.69 feet to an angle point;

N 77° 44' 37" E, a distance of 323.41 feet to an angle point;

N 81° 28' 55" E, a distance of 55.99 feet to an angle point;

N 12° 18' 48" W, a distance of 107.20 feet to an angle point;

N 07° 07' 38" E, a distance of 117.89 feet to an angle point;

N 15° 08' 03" W, a distance of 58.15 feet to an angle point;

N 25° 50' 24" W, a distance of 58.30 feet to an angle point;

N 34° 49' 05" W, a distance of 274.94 feet to an angle point;

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N 38° 03' 02" W, a distance of 118.88 feet to an angle point;

N 16° 17' 08" W, a distance of 54.86 feet to an angle point;

N 03° 12' 23" E, a distance of 7.00 feet to an angle point;

N 86° 00' 03" W, a distance of 239.04 feet to an angle point;

N 84° 46' 54" W, a distance of 585.18 feet to the Northwest corner of said 27.66 acre tract and being in the East line of said 339.63 acre tract;

THENCE, N 00° 06' 00" W, a distance of 4,823.96 feet along the line common to said 339.63 acre tract and said 3,063.45 acre tract to the **POINT OF BEGINNING** and containing 5,583.61 acres of land.

Bearing orientation is based on the west line of the called 3,063.45 acre tract described as First Tract in the deed recorded in Volume 362, Page 549 of the Fort Bend County Deed Records and called to be South.

This metes and bounds description was prepared under 22 Texas Annotated Code 663.21 and reflects the assembly of instruments of record to describe the political boundary limits shown hereon and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Dated this the 25th day of February, 2014.



Larry E. Grayson
Larry E. Grayson RPLS No. 5071
Brown & Gay Engineers, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500

Exhibit *aB*

(a) No later than ninety (90) days before the issuance of bonds, the District's financial advisor shall participate in a public hearing held by the City, and shall present the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

All bonds issued by the District shall remain obligations of the District until dissolution. The District's initial bond debt maturity date will not exceed twenty-five (25) years. Once the District has established a maturity date for its bonds, the maturity date for any refunding bonds will not extend beyond the maturity date for the bonds which are being refunded, without the approval of the City. The District may not fund more than 24 months of capitalized interest in a bond issue. At least thirty (30) days before the issuance of bonds, except refunding bonds, the District's financial advisor shall certify in writing that bonds are being issued within the existing economic feasibility guidelines established by the TCEQ - whether or not the District has been approved by the TCEQ. The report, provided to the City Administrator, should also state the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

Within 30 days after the District closes the sale of a series of bonds, the District shall deliver to the City Administrator a copy of the final official statement for such series of bonds as well as any additional information requested by the City. No bonds shall be issued after notice of annexation is provided to the District by the City, unless agreed by the City.

To the extent authorized by law, the District will issue bonds only for the purpose of purchasing and constructing, or purchasing, or constructing under contract with the City of Fulshear, or otherwise acquiring waterworks systems, sanitary systems, storm sewer systems, drainage facilities, recreational facilities, road facilities, or facilities for fire-fighting services, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefore, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds will expressly provide that the

Exhibit C

(a) No later than ninety (90) days before the issuance of bonds, the District's financial advisor shall participate in a public hearing held by the City, and shall present the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

All bonds issued by the District shall remain obligations of the District until dissolution. The District's initial bond debt maturity date will not exceed twenty-five (25) years. Once the District has established a maturity date for its bonds, the maturity date for any refunding bonds will not extend beyond the maturity date for the bonds which are being refunded, without the approval of the City. The District may not fund more than 24 months of capitalized interest in a bond issue. At least thirty (30) days before the issuance of bonds, except refunding bonds, the District's financial advisor shall certify in writing that bonds are being issued within the existing economic feasibility guidelines established by the TCEQ - whether or not the District has been approved by the TCEQ. The report, provided to the City Administrator, should also state the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

Within 30 days after the District closes the sale of a series of bonds, the District shall deliver to the City Administrator a copy of the final official statement for such series of bonds as well as any additional information requested by the City.

To the extent authorized by law, the District will issue bonds only for the purpose of purchasing and constructing, or purchasing, or constructing under contract with the City of Fulshear, or otherwise acquiring waterworks systems, sanitary systems, storm sewer systems, levee and drainage facilities, recreational facilities, road facilities, or facilities for fire-fighting services, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefore, and to operate and maintain same. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium; and, other than refunding bonds, the bonds will be sold only after the taking of public bids therefore, and none of

such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that the bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given.

(b) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the City of Fulshear, or to its designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage, and road facilities and related improvements to serve the District and obtain the approval of such plans and specifications therefrom. Plans will be deemed approved if no comments are received by the City within 15 business days. Prior to the construction of any water, sanitary sewer, drainage or road facilities within or by the District, the District or its engineer will give written notice to the City, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of the City of Fulshear; and during the progress of the construction and installation of such facilities, the City, or representative thereof, may make periodic on-the-ground inspections. After construction, the District, upon request of the City, will deliver to the City a final copy of all "as-builts" and the project description in the geographic information system.

(c) The District shall provide the City Administrator of the City with reasonable notice of all meetings of its governing Board of Directors by mailing to the City Administrator a copy of each notice and agenda of each such meeting held by the District. In addition, the District shall provide the City Administrator with a certified copy of all minutes of such meetings.

(d) On an annual basis, the District shall file with the City Secretary and City Administrator of the City a copy of its annual audit report, if any, and a copy of its then current budget showing expenses, income, and revenue.

(e) The Districts all agree not to annex additional land (outside of the total approved and consented contained in the consent resolution or ordinance to which this exhibit is attached) into a District without written consent from the City.

(f) Prior approval by the City is required for all easements granted outside the boundaries of the District. (g) The developer(s) of any land located in the City's extraterritorial jurisdiction will enter into a development agreement with the City. Such development agreement shall provide that the owner or developer of land within a district that constructs public infrastructure shall pay a fee for the infrastructure plan

review and inspection fee for engineering and planning expenses related to the city's review of infrastructure plans and specifications for the district's facilities and inspection of the district's facilities when the District is created or obtains the final authority to exercise a power that the District did not have at the time of its creation and the developer constructs public infrastructure related to that power or when the District annexes new land into the District and public infrastructure improvements are constructed in the newly annexed area. The infrastructure plan review and inspection fee shall be paid each time the owner or developer of land within the District requests the City's initial acceptance of the public infrastructure located in the city limits. Additionally, such development agreement shall provide that the owner or developer shall pay a fee to the City for processing the development agreement, which fee shall be in an amount reasonably related to the expense incurred in processing the development agreement, but not less than \$10,000 and not more than \$20,000, provided that the foregoing range shall not apply if the development agreement is not processed within five (5) years of the adoption of the consent resolution or ordinance to which this exhibit is attached, and such fee shall be reasonably related to the expense incurred in processing the development agreement without limitation. Notwithstanding anything stated above, the developer(s) will not be paying twice for municipal utility district and levee improvement district review.

(h) The District shall allow the City to designate one (1) representative of the City, who shall be provided with all notices, agendas, and related items for each meeting of the District's board of directors at the same time and in the same manner as such notices, agendas, and related items are provided to the District's board of directors.

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

The Commissioners Court of Fort Bend County, Texas, convened in REGULAR SESSION AT A REGULAR TERM OF SAID COURT, open to the public, on the ___ day of _____, 2016, at the County Courthouse, and the roll was called of the duly constituted officers and members of the Commissioners Court and officer of the County, to-wit:

Robert Hebert	County Judge
Richard Morrison	Commissioner, Precinct No. 1
Grady Prestage	Commissioner, Precinct No. 2
W. A. "Andy" Meyers	Commissioner, Precinct No. 3
James Patterson	Commissioner, Precinct No. 4
Laura Richard	County Clerk

and all of said persons were present, except _____. Whereupon, among other business the following was transacted at said meeting: a written order entitled:

ORDER SETTING HEARING ON A PETITION TO
CREATE A LEVEE IMPROVEMENT DISTRICT

(the "Order") was duly introduced for the consideration of the Commissioners Court and reviewed in full. It was then duly moved and seconded that the Order be passed; and, after due discussion, the motion, carrying with it the passage of the Order, prevailed and carried by the following vote:

AYES:

NOES:

The County Judge thereupon announced that the Order had been duly and lawfully adopted. The Order thus adopted follows:

ORDER SETTING HEARING ON A PETITION TO
CREATE A LEVEE IMPROVEMENT DISTRICT

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS, the Commissioners Court of Fort Bend County, Texas, has been presented a petition (hereinafter referred to as the "Petition") requesting creation of a levee improvement district to be known as Fort Bend County Levee Improvement District No. 21, under the authority of Article XVI, Section 59, Texas Constitution and Chapter 57, Texas Water Code, as amended, which Petition is attached hereto as Exhibit "A"; and

WHEREAS, Chapter 57 of the Texas Water Code confers jurisdiction on the County Judge and Commissioners Court of Fort Bend County, Texas to create such levee improvement district; and

WHEREAS, it appears to the Commissioners Court that such Petition is in proper form and has been properly executed by the owners of at least a majority of the acreage within the proposed district and is accompanied by a deposit of Fifty Dollars (\$50.00) as required by Chapter 57, Texas Water Code and has been properly presented to the Court; and it further appears that the Commissioners Court is authorized and required pursuant to Chapter 57, Texas Water Code to adopt an order at this time scheduling a hearing on such Petition; and

WHEREAS, it is hereby found, determined and declared by the Commissioners Court that this meeting of the Court is open to the public as required by law and that notice has been given of the hour, date, place and purpose of this meeting as required by law;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the County Judge and Commissioners Court of Fort Bend County, Texas:

Section 1: That the foregoing recitals are, and the same are hereby found to be, true and correct.

Section 2: That a hearing shall be held and conducted on the Petition to create Fort Bend County Levee Improvement District No. 21 at 1:00 p.m. on March 22, 2016, which date is 15 or more days but not more than 30 days from the date of this Order, at a regular meeting of the Commissioners Court to be held on such date in the

Commissioners' Court Room on the 2nd Floor of the Fort Bend County Courthouse, 401 Jackson Street, Richmond, Texas 77469.

Section 3: That the County Clerk shall issue notice of such hearing and shall post same or cause the same to be posted at five public places in Fort Bend County at least ten days before the date of the hearing, one copy of such notice being posted at the Fort Bend County Courthouse door and the remaining four copies of such notice being posted within the boundaries of the proposed levee improvement district. Such notice shall state that the Petition has been filed, shall include a statement of the Petition's general purpose, and shall inform all persons concerned of the time and place of such hearing and of their right to appear at such hearing to contend for or contest the creation of the proposed district and to offer testimony pertinent to any issue presented.

Section 4: That the County Clerk shall mail notice of such hearing or cause the same to be mailed to the Executive Director of the Texas Commission on Environmental Quality in Austin, Texas. Such notice shall state that the Petition has been filed, shall include a statement of the Petition's general purpose, and shall inform the Executive Director of the time and place of the hearing.

Section 5: That a copy of the Order shall be recorded in the minutes of this Court.

PASSED AND ADOPTED this ____ day of ____, 2016.

Robert Hebert, County Judge

ATTEST:

Laura Richard, County Clerk and
Ex-Officio Clerk of the Commissioners
Court of Fort Bend County, Texas

(SEAL)

Attachment:

Petition for Creation as filed

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

We, the undersigned officers of the Commissioners Court (the "Court") of Fort Bend County, Texas, (the "County") do hereby certify as follows:

1. That we are the duly chosen, qualified and acting officers of the Court for the offices shown below our signatures and that as such we are familiar with the facts herein certified.

2. That there is attached to and follows this certificate an excerpt of proceedings from the minutes of a meeting of the Court which is a true, full and complete excerpt of all proceedings from the minutes of the Court pertaining to the adoption of the order described therein; and that the persons named in such excerpt as the officers and members of the Court or as officers of the County are the duly chosen, qualified and acting officers and members as indicated therein.

3. That a true and complete copy of the order (the "Order"), as adopted at the meeting described in such excerpt from the minutes, is attached to and follows such excerpt.

4. That the Order has been duly and lawfully adopted by the Court and that the County Judge of the County has approved, and hereby approves, the Order; that the County Judge and the County Clerk of the County have duly signed and attested the Order and each, respectively, hereby declares that the signing of this certificate shall also constitute the signing of the Order for all purposes; and that the Order, as signed, has been duly recorded in the minutes of the Court for such meeting.

5. That each of the officers and members of the Court was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and subject of such meeting of the Court, and that the Order would be introduced and considered for passage at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting to consider and act upon such subject.

6. That written notice of the date, hour, place and subject of the meeting of the Court described in the excerpt from the minutes was posted on a bulletin board located at a place convenient to the public in the County Courthouse of the County; and that such meeting was open to the public as required by law at all times during which

the Order and the subject matter thereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Article 6252-17, Vernon's Texas Civil Statutes, as amended.

SIGNED AND SEALED THE _____ day of _____, 2016.

Laura Richard
County Clerk

Robert Hebert
County Judge

Attachment:

Order

NOTICE OF HEARING OF PETITION FOR
CREATION OF LEVEE IMPROVEMENT DISTRICT

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

TO ALL PERSONS INTERESTED IN THE CREATION OF PROPOSED FORT BEND
COUNTY LEVEE IMPROVEMENT DISTRICT NO. 21:

Notice is hereby given that a hearing will be held at 1:00 p.m., on the 22nd day of March, 2016, before the Commissioners Court of Fort Bend County, Texas, in the Commissioners Courtroom, 2nd Floor of the Fort Bend County Courthouse 401 Jackson St., Richmond, Texas, upon a petition filed for the creation, organization and establishment of proposed Fort Bend County Levee Improvement District No. 21 to provide levee and drainage facilities, in keeping with the Order, a copy of which is attached hereto as Exhibit "A," duly adopted on the 1st day of March, 2016.

You are advised and shall take notice that any interested person, or his attorney, may appear before Commissioners Court at such hearing and may contend for or contest the creation of such district and may offer testimony pertinent to any issue presented.

You will also take notice that such hearing will be held as provided in the Order attached hereto, and you will further take notice of all facts, conditions and terms therein set out.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ day of _____, 2016.

By: _____

Laura Richard
County Clerk
Fort Bend County, Texas

(SEAL)



FORT BEND COUNTY CLERK

**LAURA RICHARD
COUNTY CLERK**

301 Jackson Street, Richmond TX 77469-3108
(281) 341-8685
www.fortbendcountytexas.gov

March 1, 2016

Mr. Richard A. Hyde
Executive Director
c/o Mr. Justin Taack
Texas Commission on Environmental Quality
Districts Section
Water Utilities Division MC-152
P.O. Box 13087
Austin, Texas 78711-3087

RE: Proposed Fort Bend County Levee Improvement District No. 21 (the "District")

Dear Mr. Hyde:

A petition for the creation of Fort Bend County Levee Improvement District No. 21 has been filed with the Fort Bend County Commissioners Court. This letter and the enclosed documents constitute formal notice of this filing as required by Section 57.015(d) of the Texas Water Code and Title 30, Section 301.21 (b) of the Texas Administrative Code.

Please find enclosed a copy of the petition for the creation of the District. This hearing is scheduled to be held on March 22, 2016, at 1:00 p.m. at the Fort Bend County Commissioners Court. Please begin an investigation concerning the levee improvement district pursuant to Section 57.016 of the Texas Water Code and Title 30, Section 302.21(c) of the Texas Administrative Code, so that your representative will be able to attend the hearing on the petition and file the written report with the Commissioners Court, as required by law. Further information will be filed with you directly, as necessary.

If you have any questions or need information regarding this district, please call Angela Lutz, Allen Boone Humphries Robinson LLP at (713) 860-6470 (the attorney representing the Petitioners) or Kevin J. Gilligan, Brown & Gay Engineers, Inc. at (281) 558-8700 (the engineer representing the Petitioners). Thank you for your attention to this matter.

Sincerely,

Laura Richard
Fort Bend County Clerk

Enclosures

**AFFIDAVIT OF FORWARDING
NOTICE OF HEARING TO
THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, the undersigned, County Clerk and Ex-Officio Clerk of the Commissioners' Court of Fort Bend County, Texas, do hereby certify that the attached Notice of Hearing was forwarded by this office to the Executive Director of the Texas Commission on Environmental Quality, as required by Section 57.015(d) of the Texas Water Code.

WITNESS MY HAND AND THE SEAL OF THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS, this _____ day of _____, 2016.

LAURA RICHARD
County Clerk and Ex-Officio
Clerk of the Commissioners
Court of Fort Bend County, Texas

By: _____

SEAL

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

The Commissioners Court of Fort Bend County, Texas, convened in REGULAR SESSION AT A REGULAR TERM OF SAID COURT, open to the public, on the _____ day of _____, 2016, at the County Courthouse, and the roll was called of the duly constituted officers and members of the Commissioners Court and officer of the County, to-wit:

Robert Hebert	County Judge
Richard Morrison	Commissioner, Precinct No. 1
Grady Prestage	Commissioner, Precinct No. 2
W. A. "Andy" Meyers	Commissioner, Precinct No. 3
James Patterson	Commissioner, Precinct No. 4
Laura Richard	County Clerk

and all of said persons were present, except _____. Whereupon, among other business the following was transacted at said meeting: a written order entitled:

ORDER UPON HEARING ON A PETITION TO CREATE FORT BEND
COUNTY LEVEE IMPROVEMENT DISTRICT NO. 21;
MAKING FINDINGS AND DETERMINATIONS
IN CONNECTION THEREWITH; ESTABLISHING FORT BEND
COUNTY LEVEE IMPROVEMENT DISTRICT NO. 21
AND DEFINING THE BOUNDARIES THEREOF; AND
CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

(the "Order") was duly introduced for the consideration of the Commissioners Court and reviewed in full. It was then duly moved and seconded that the Order be passed; and, after due discussion, the motion, carrying with it the passage of the Order, prevailed and carried by the following vote:

AYES:

NOES:

The County Judge thereupon announced that the Order had been duly and lawfully adopted. The Order thus adopted follows:

**ORDER UPON HEARING ON A PETITION TO CREATE FORT BEND
COUNTY LEVEE IMPROVEMENT DISTRICT NO. 21;
MAKING FINDINGS AND DETERMINATIONS
IN CONNECTION THEREWITH; ESTABLISHING FORT BEND
COUNTY LEVEE IMPROVEMENT DISTRICT NO. 21
AND DEFINING THE BOUNDARIES THEREOF; AND
CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT**

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS, there has been presented to the County Judge and Commissioners Court of Fort Bend County, Texas, a petition (hereinafter referred to as the "Petition") requesting creation of a levee improvement district to be known as Fort Bend County Levee Improvement District No. 21 (hereinafter referred to as the "District"), under the authority of Article XVI, Section 59, Texas Constitution and Chapter 57, Texas Water Code, as amended, a copy of which Petition is attached hereto as Exhibit "A" and is incorporated herein for all purposes; and

WHEREAS, by Order duly passed and adopted by the Court on the 1st day of March, 2016, a hearing before the Court on the Petition was set for 22nd day of March, 2016, which date is 15 or more, but not more than 30 days from the date of such Order setting hearing; and

WHEREAS, upon such hearing being convened there was presented proper proof and evidence that notice of such hearing had been posted and had been mailed to the Executive Director of the Texas Commission on Environmental Quality in accordance with the provisions of Section 57.015, Texas Water Code, as amended; and

WHEREAS, the Court invited any interested person, or his attorney, to appear and contend for or contest the creation of the District and to offer testimony pertinent to any issue presented, and heard evidence on the Petition and all issues with respect to the creation of the District, including evidence on (i) whether Petition is signed by the owners of a majority of the acreage in the proposed District; (ii) whether notice of the hearing on the Petition was properly given; (iii) whether the proposed improvements are desirable, feasible, and practicable, and (iv) whether the proposed improvements would be a public utility and a public benefit and would be conducive to public health; and

WHEREAS, the proponents of the District and others offered evidence, both oral and documentary, in favor of all of the foregoing matters and the allegations in the Petition and the creation of the District; and

WHEREAS, the Texas Commission on Environmental Quality filed a written report with the Court on the matters which have been investigated, including an examination of the proposed District and of the necessity, feasibility, and probable costs of reclaiming the land of the District from overflow and of draining it properly, and a determination of the costs of

organizing the District and maintaining it for two years, a copy of which is attached to this Order as Exhibit "B" and incorporated herein for all purposes; and

WHEREAS, such hearing has been properly convened and based upon the evidence and testimony presented, this Court finds as follows:

- a. That the Petition is in proper form and was signed by the owners of a majority of the acreage in the proposed District, and was accompanied by a deposit of Fifty and No/100 Dollars (\$50.00);
- b. That the hearing upon such Petition was properly called, held and conducted and that notice of such hearing was posted within the County and the proposed district and mailed to the Texas Commission on Environmental Quality as required by law;
- c. That this Court has jurisdiction to entertain such Petition and to hold and conduct hearings thereon and to enter upon the record and minutes of this Court its finding relative to such hearing under the provisions of Chapter 57, Texas Water Code, as amended;
- d. That the allegations contained in such Petition are true and correct and the relief sought in such Petition should in all respects be granted;
- e. That creation of the proposed District and that the proposed improvements are desirable, feasible and practicable and would be a public utility and a public benefit and would be conducive to public health;
- f. That the engineering report presented with the Petition is a preliminary estimate of the levee and other drainage facilities to be constructed and the final location and specific levee and drainage facilities shall be determined the by the District in accordance with all applicable laws; and
- g. That this meeting of the Commissioners Court of Fort Bend County, Texas, is open to the public and that proper notice has been given and posted as required by law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioners Court of Fort Bend County, Texas:

Section 1: The foregoing findings and judgments of this Court are hereby determined to be true, correct and complete and are hereby approved and adopted.

Section 2: The Petition is in all respects granted.

Section 3: Fort Bend County Levee Improvement District No. 21 is hereby created and established, and the boundaries of such District are hereby defined as containing 5,583.61 acres of land, more or less, in Fort Bend County, Texas, as more particularly described by metes and bounds in Exhibit "A" to the Petition which description is hereby incorporated by reference for all purposes as if set forth in full herein.

Section 4: That Chuck Hewell, James Michael Flory, and Larry Nemec are hereby appointed to serve as directors of the District to serve as provided by law, and that each director shall be entitled to per diems not to exceed the maximum amount allowed by law.

Section 5: That a copy of this Order and the findings and judgments of this Court relative to the hearing on the Petition to create Fort Bend County Levee Improvement District No. 21 shall be recorded in the minutes of this Court and in the Official Records of Fort Bend County, Texas.

PASSED AND ADOPTED this ___ day of _____, 2016.

Robert Hebert, County Judge

ATTEST:

Laura Richard
County Clerk and Ex-Officio
Clerk of the Commissioners
Court of Fort Bend County, Texas

(SEAL)

Attachments:

Exhibit A - Petition for Creation

Exhibit B - Texas Commission on Environmental Quality Report

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

We, the undersigned officers of the Commissioners Court (the "Court") of Fort Bend County, Texas, (the "County") do hereby certify as follows:

1. That we are the duly chosen, qualified and acting officers of the Court for the offices shown below our signatures and that as such we are familiar with the facts herein certified.

2. That there is attached to and follows this certificate an excerpt of proceedings from the minutes of a meeting of the Court which is a true, full and complete excerpt of all proceedings from the minutes of the Court pertaining to the adoption of the order described therein; and that the persons named in such excerpt as the officers and members of the Court or as officers of the County are the duly chosen, qualified and acting officers and members as indicated therein.

3. That a true and complete copy of the order (the "Order"), as adopted at the meeting described in such excerpt from the minutes, is attached to and follows such excerpt.

4. That the Order has been duly and lawfully adopted by the Court and that the County Judge of the County has approved, and hereby approves, the Order; that the County Judge and the County Clerk of the County have duly signed and attested the Order and each, respectively, hereby declares that the signing of this certificate shall also constitute the signing of the Order for all purposes; and that the Order, as signed, has been duly recorded in the minutes of the Court for such meeting.

5. That each of the officers and members of the Court was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and subject of such meeting of the Court, and that the Order would be introduced and considered for passage at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting to consider and act upon such subject.

6. That written notice of the date, hour, place and subject of the meeting of the Court described in the excerpt from the minutes was posted on a bulletin board located at a place convenient to the public in the County Courthouse of the County; and that such meeting was open to the public as required by law at all times during which

the Order and the subject matter thereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Article 6252-17, Vernon's Texas Civil Statutes, as amended.

SIGNED AND SEALED THE _____ day of _____, 2016.

Laura Richard
County Clerk

Robert Hebert
County Judge