

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:

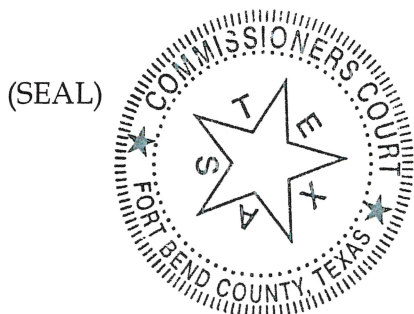
Notice is hereby given that a hearing will be held at 1:00 p.m., on the 22nd day of March, 2016, before the Commissioners Court of Fort Bend County, Texas, in the Commissioners Courtroom, 2nd Floor of the Fort Bend County Courthouse 401 Jackson St., Richmond, Texas, upon a petition filed for the creation, 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 1st day of March, 2016.

By: 
Laura Richard
County Clerk
Fort Bend County, Texas



THE STATE OF TEXAS §
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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 1st day of March, 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: 5

NOES: 0

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

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
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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.

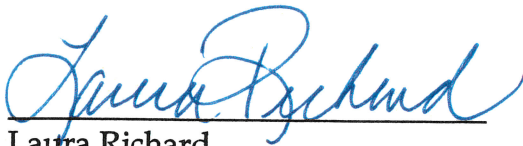
4. That the Order has been duly and lawfully adopted by the Court and that the County Judge of the County has approved, and hereby approves, the Order; that the County Judge and the County Clerk of the County have duly signed and attested the Order and each, respectively, hereby declares that the signing 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.

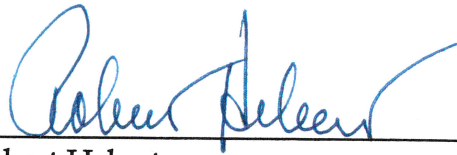
6. That written notice of the date, hour, place and subject of the meeting of the Court described in the excerpt from the minutes was posted on a bulletin board located at a place convenient to the public in the County Courthouse of the County; and that such meeting was open to the public as required 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 1 day of March, 2016.



Laura Richard
County Clerk



Robert Hebert
County Judge



Attachment:

Order

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

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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.

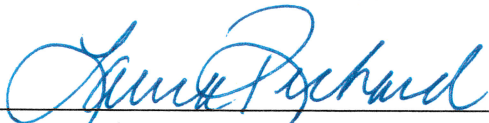
Section 5: That a copy of the Order shall be recorded in the minutes of this Court.

PASSED AND ADOPTED this 1 day of March, 2016.



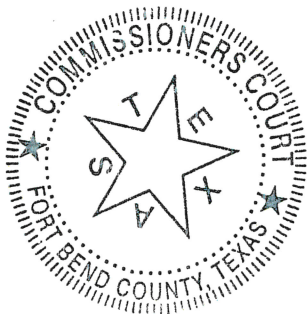
Robert Hebert, County Judge

ATTEST:



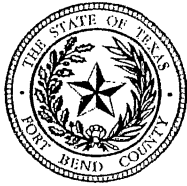
Laura Richard, County Clerk and
Ex-Officio Clerk of the Commissioners
Court of Fort Bend County, Texas

(SEAL)



Attachment:

Petition for Creation as filed



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,

A handwritten signature in cursive script that reads "Laura Richard".

Laura Richard
Fort Bend County Clerk

Enclosures

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

THE STATE OF TEXAS §
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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 15th day of March, 2016.

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

By: 

SEAL

