

PETITION FOR ADDITION OF CERTAIN LAND TO
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

TO: THE BOARD OF DIRECTORS OF FORT BEND COUNTY MUNICIPAL UTILITY
 DISTRICT NO. 23:

FORT BEND COUNTY, TEXAS (the “Petitioner”), a political subdivision of the State of Texas, acting pursuant to the provisions of Chapter 49, Texas Water Code, particularly Section 49.301, together with all amendments and additions thereto, petitions this Honorable Board of Directors to add approximately 4.635 acres of land described by metes and bounds in **Exhibit A** (the “Land”), attached hereto and incorporated herein for all purposes, to FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23 (the “District”), and in support of this petition the Petitioner represents, covenants, and agrees as follows:

Section 1: The Land lies entirely within Fort Bend County, Texas, and is accurately described by metes and bounds in **Exhibit A**.

Section 2: The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Fort Bend Central Appraisal District and supplemented, as needed, by certified deeds recorded in the Official Public Records of Fort Bend County, Texas.

Section 3: All of the Land is within the exclusive extraterritorial jurisdiction (as such term is defined in Texas Local Government Code, Section 42.021 et seq., as amended) of the City of Houston, Texas. No part of the Land is within the corporate limits of any incorporated city, town, or village.

Section 4: The addition of the Land to the District is feasible and practical and will be to the advantage of and a benefit to the District and the water supply, sanitary sewer, and drainage systems and other improvements of the District are sufficient or will be sufficient to supply the added Land without injuring the land already within the District.

Section 5: The Petitioner acknowledges, consents to, and affirmatively requests the assumption by the Land, and all improvements thereon presently existing or to be constructed hereafter, of a pro rata share of all present and future obligations of the District, and of the taxes levied or hereafter to be levied by the District. The Petitioner hereby agrees that the Land, and all improvements thereon presently existing or to be

constructed hereafter, hereby assumes its share of liability for the payment of any and all bonds or other obligations of the District, (i) that are currently outstanding or hereafter issued; and (ii) that are currently or hereafter voted but unissued. This petition shall further be considered as consent and authorization of the Petitioner, its successors and assigns, for all the Land and all improvements now existing or to be constructed thereon, to be taxed uniformly and equally on an ad valorem basis with all other taxable property within the District, to the extent applicable, for: (1) the payment of principal of and interest on any and all of the District's outstanding unlimited tax bonds and unlimited tax refunding bonds; (2) the payment of principal of and interest on any and all of the District's unissued bonds that have been or may hereafter be authorized by the voters; (3) a maintenance tax not to exceed the amount per \$100 of assessed valuation that has been heretofore authorized by the voters or as may hereafter be authorized by the voters; and (4) all other purposes for which the District may lawfully levy taxes. Notwithstanding the foregoing, the terms and conditions contained in this Section are applicable to Petitioner only to the extent Petitioner is subject to taxation and to the extent allowed by law.

Section 6: The Petitioner hereby certifies that there are no qualified voters residing on the Land.

Section 7: The Petitioner hereby certifies that there are no holders of liens on the Land.

WHEREFORE, the Petitioner prays that this Petition be granted; that the Land be added to and become a part of the District; and that this Petition, if granted, be filed for record and be recorded in the Official Public Records of Fort Bend County, Texas, and filed with the Texas Commission on Environmental Quality.

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED on _____, 2025.

FORT BEND COUNTY, TEXAS

By: _____
KP George, Fort Bend County Judge

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on _____, 2025,
by KP George, as County Judge of Fort Bend County, Texas, a political subdivision of the
state of Texas, on behalf of Fort Bend County, Texas.

Notary Public, State of Texas

(NOTARY SEAL)

Attachment:

Exhibit A: Description of the Land

After recording, return to: Allen Boone Humphries Robinson LLP, 3200 Southwest
Freeway, Suite 2600, Houston, Texas 77027, Attn: Ashley Ramos

EXHIBIT "A"

County: Fort Bend
Street: South Post Oak Boulevard
Civilcorp Job No.: 1520100

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Property Description for Tract 38A

Being a 4.635 acre tract of land, situated in the Manuel Escalera Survey, Abstract 170, Fort Bend County, Texas, being the residual of a 4.6443 acre tract conveyed from Larry Cattell and Lydia Cattell to 1034 Sycamore L.P., dated August 8, 2018 as recorded in Clerk's File No. 2018097833, Official Records Fort Bend County, Texas, (O.R.F.B.C.T.), said 4.635 acre tract of land being more fully described by metes and bounds as follows:

COMMENCING at a 5/8 inch diameter iron rod with plastic cap found in the East right-of-way line of Windsome Drive (60 foot right-of-way), said iron rod marking the southwest corner of Restricted Reserve "B" of Teal Run Section Ten, an addition to the City of Fresno, Fort Bend County, Texas as recorded in Slide No. 1933A, P.R.F.B.C.T.;

THENCE, North 02 deg. 40 min. 51 sec. West, with the existing East right-of-way line of Windsome Drive, a distance of 110.10 feet to a calculated point for the northwest corner of said Restricted Reserve "B", Teal Run Section Ten, also being in the South line of a 0.540 acre tract of land conveyed to Fort Bend County, dated August 14, 2012 as recorded in Clerk's File No. 2012098515, Official Public Records Fort Bend County, Texas, (O.P.R.F.B.C.T.);

THENCE, North 87 deg. 19 min. 09 sec. East, with the common line of said Restricted Reserve "B", and said 0.540 acre tract, a distance of 5.29 feet to a 5/8 inch diameter iron rod with a plastic cap found for the southwest corner of the herein described tract, said iron rod being the southeast corner of said 0.540 acre tract, having Surface Coordinates of N=13,756,774.92, E=3,091,790.40 and being the **POINT OF BEGINNING**;

THENCE, with the East line of said 0.540 acre tract the following 3 courses;

- (1) North 02 deg. 40 min. 36 sec. West, a distance of 281.88 feet to a 5/8 inch diameter iron rod with plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract and being the beginning of a curve to the right;
- (2) With said curve to the right having a radius of 20.00 feet, an arc length of 31.42 feet, a delta of 01 deg. 30 min. 50 sec., and a chord bearing and length of North 42 deg. 19 min. 24 sec. East, 28.28 feet to a 5/8 inch diameter iron rod with plastic cap found for end of said curve;
- (3) North 02 deg. 40 min 36 sec. West, a distance of 20.00 feet to a 5/8 inch diameter iron rod with plastic cap stamped "CIVILCORP" set for the northwest corner of the herein described parcel and being in the South right-of-way line of Sycamore Street (called 60.2 foot right-of-way) (occupied right-of-way varies);

EXHIBIT "A"

County: Fort Bend
Street: South Post Oak Boulevard
Civilcorp Job No.: 1520100

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Property Description for Tract 38A

- (4) **THENCE**, North 87 deg. 19 min. 34 sec. East, with the existing South right-of-way line of said Sycamore Street, a distance of 586.40 feet to a 5/8 inch diameter iron rod with plastic cap stamped "CIVILCORP" set for the northeast corner of the herein described tract, and the northwest corner of a 0.2307 acre tract of land conveyed to Fort Bend County, dated January 21, 2019, as recorded in Clerk File number 2019018547 of said O.P.R.F.B.C.T.;

THENCE, with the West line of said 0.2307 acre tract of land the following two courses;

- (5) South 47 deg. 51 min. 45 sec. East, a distance of 31.85 feet to a 5/8 inch diameter iron rod with plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract;
- (6) South 02 deg. 57 min. 31 sec. East, a distance of 299.36 feet to a to a calculated point for the southeast corner of the herein described tract, also being the southwest corner of said 0.2307 acre tract and the northeast corner of said Restricted Reserve Tract "B", from which a found 5/8 inch diameter iron rod with plastic cap stamped "SURVEY 1" bears North 87 deg. 36 min. 28 sec. East, a distance of 0.41 feet;
- (7) **THENCE**, South 87 deg. 19 min. 09 sec. West, with the North line of said Restricted Reserve Tract "B" a distance of 630.47 feet to the **POINT OF BEGINNING**, containing 4.635 acres of land, more or less.

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Property Description for Tract 38A

All bearings and coordinates are based on the Texas Coordinate System, South Central Zone (4204) NAD83. All distances and coordinates shown are surface and may be converted to grid by dividing by a combined adjustment factor of 1.000130.

I hereby certify the foregoing legal description was prepared from a survey performed on the ground and that it correctly represents the facts found at the time of the survey. A survey plat of even date herewith accompanies this legal description.



07/24/2020

A handwritten signature in dark ink that reads "Brandon Absher".

Brandon M. Absher
Registered Professional Land Surveyor
License No. 6654, State of Texas
CivilCorp, LLC - 4611 E. Airline Suite #300, Victoria, Texas 77904
361-570-7500
TBPLS Firm Registration No. 100576-00

Date: 07/24/2020

CERTIFICATE

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, the undersigned Secretary of the Board of Directors of FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23, do hereby certify that the attached and foregoing is a true and correct copy of the Petition for Addition of Certain Land to Fort Bend County Municipal Utility District No. 23 that was filed with the Board of Directors of the District on _____, 2025.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on _____, 2025.

By: _____
Secretary, Board of Directors

(SEAL)