

REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 1 day of SEPTEMBER, 2009, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of EMBREE CONSTRUCTION GROUP, INC.

Job Location SANSBURY BOULEVARD

Dated 08/19/09 BOND NO. 6643336 Permit No. 83676

to make use of certain Fort Bend County property subject to, "A Revised Order Regulating the Laying, Construction, Maintenance, and Repair of Buried Cables, Conduits, and Pole Lines, In, Under, Across or Along Roads, Streets, Highways, and Drainage Ditches in Fort Bend County, Texas, Under the Jurisdiction of the Commissioners Court of Fort Bend County, Texas," as passed by the Commissioners Court of Fort Bend County, Texas, date the 3rd day of August, 1987, recorded in Volume _____ of the Minutes of the Commissioners Court of Fort Bend County, Texas, to the extent that such order is not inconsistent with Article 1436a, Vernon's Texas Civil Statues. Upon Motion of Commissioner Meyers, seconded by Commissioner Morrison, duly put and carried, it is ORDERED, ADJUGED AND DECREED that said notice of said above purpose is hereby acknowledged by the Commissioners Court of Fort Bend County, Texas, and that said notice be placed on record according to the regulation order thereof.

Notes:

1. Evidence of review by the Commissioners Court must be kept on the job site and failure to do so constitutes grounds for job shutdown.
2. Written notices are required:
 - a. 48 hours in advance of construction start up, and
 - b. When construction is completed and ready for final inspection

Mail notices to: Permit Administrator
Fort Bend County Engineering
P.O. Box 1449
Rosenberg, Texas 77471
281-633-7500

3. This permit expires one (1) year from date of permit if construction has not commenced.

By [Signature]
County Engineer

Presented to Commissioners Court and approved.
Recorded in Volume 9-1-09
Minutes of Commissioners Court.

By N/A
Drainage District Engineer/Manager

Clerk of Commissioners Court
By [Signature]
Deputy

**PERFORMANCE BOND COVERING ALL CABLE, CONDUIT AND/OR POLE LINE
ACTIVITY IN, UNDER, ACROSS OR ALONG FORT BEND COUNTY ROADS**

AUTHORIZED

BOND NO 6643336

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE Embree Construction Group, Inc. whose address is 4747 Williams Dr., Georgetown, TX. 78633, Texas, hereinafter called the Principal, and Safeco Insurance Company of America, a Corporation existing under and by virtue of the laws of the State of Washington and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 7600 W. Tidwell, Ste. 708, Houston, TX 77040, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Robert James Nitsche and whose address is 143 E. Austin, Giddings, TX. 78942, hereinafter called the Surety, and held and firmly bound unto, Robert E. Hebert, County Judge of Fort Bend County, Texas, or his successors in office, in the full sum of Five-Thousand Dollars and no cents Dollars (\$ 5,000.00) current, lawful money of the United States of America, to be paid to said Robert E. Hebert, County Judge of Fort Bend County, Texas, or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bind ourselves and each of us, our heirs, executors, administrators, successors, assigns, and legal representatives, jointly and severally, by these presents.

THE CONDITION OF THIS BOND IS SUCH THAT, WHEREAS, the above bounden principal contemplates laying, constructing, maintaining and/or repairing one or more cables, conduits, and/or pole lines in, under, across and/or along roads, streets and highways in the County of Fort Bend, and the State of Texas, under the jurisdiction of the Commissioners' Court of Fort Bend County, Texas, pursuant to the Commissioners' Court order adopted on the 1st day of December, A.D. 1980, recorded in Volume 13, of the Commissioners' Court Minutes of Fort Bend County, Texas, regulating same, which Commissioners' Court order is hereby referred to and made a part hereof for all purposes as though fully set out herein;

AND WHEREAS, the principal desires to provide Fort Bend County with a performance bond covering all such cable, conduit and/or pole line activity;

NOW, THEREFORE, if the above bounden principal shall faithfully perform all its cable, conduit and/or pole line activity (including, but not limited to the laying, construction, maintenance and/or repair of cables, conduits and/or pole lines) in, under, across and/or along roads, streets and highways in the County of Fort Bend and State of Texas, under the jurisdiction of the Commissioners Court of Fort Bend County, Texas, pursuant to and in accordance with minimum requirements and conditions of the above mentioned Commissioners' Court order set forth and specified to be by said principal done and performed, at the time and in the manner therein specified, and shall pay over and make good and reimburse Fort Bend County, all loss and damages which Fort Bend County may sustain by reason of any failure or default on the part of said principal, then this obligation shall be null and void, otherwise to remain in full force and effect.

This bond is payable at the County Courthouse in the County of Fort Bend and State of Texas.

It is understood that at any time Fort Bend County deems itself insecure under this bond, it may require further and/or additional bonds of the principal.

EXECUTED this 11th day of August, 2009.

Embree Construction Group, Inc.

PRINCIPAL

BY

Safeco Insurance Company of America

SURETY

BY Robert James Nitsche, Attorney-In-Fact



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 11429

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

*****DAVID P. FERGUSON; VIOLET FROSCH; ROBERT JAMES NITSCHKE; ROBERT K. NITSCHKE; CRAIG PARKER; NINA K. SMITH; Giddings, Texas*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March 2009

Dexter R. Legg (signature)

T. Mikolajewski (signature)

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 11th day of August 2009



Dexter R. Legg (signature)

Dexter R. Legg, Secretary



SAFECO

State of Texas Surety Bond Claim Notice

In accordance with Section 2253.021(f) of the Texas Government Code and Section 53.202(6) of the Texas Property Code, any notice of claim to the named surety under this bond(s) should be sent to:

SAFECO Surety
Adams Building
4634 154th PL NE
Redmond, WA 98052

Mailing Address:
SAFECO Surety
PO Box 34754
Seattle, WA 98124

Phone: (425) 376-6535
Fax: (425) 376-6533

**FORT BEND COUNTY ENGINEERING
 PERMIT DEPARTMENT
 CONSTRUCTION OF DRIVEWAYS AND CULVERTS ON COUNTY EASEMENTS AND RIGHT OF WAYS
 COMMERCIAL PIPE PERMIT APPLICATION
 P.O. BOX 1449 • 1124 BLUME ROAD
 ROSENBERG, TX 77471
 (Phone) 281-633-7502 or 7503 • (Fax) 281-342-7366**

APPLICANT INFORMATION

Application No. 083676
 (County Use Only)

Applicant Name EMPREE CONSTRUCTION GROUP, INC
 Applicant Mailing Address 4747 WILLIAMS DR
 City GEORGETOWN State TX Zip 78633
 Work Phone 512.819.4762 Daytime Phone 512.630.6168 (MOBILE)
 Property Owner's Name MDJ DEVELOPMENTS, LLC Phone 512.382.4099
 Property Owner's Mailing Address 8105 PAXTER SPRINGS ROAD
 City AUSTIN State TX Zip 78745

LOCATION OF PROPERTY

Subdivision CANYON GATE AT BRAZOS Sec 2 Lot _____ Blk _____ PARTIAL REPLAT #2, RESTRICTED RESERVE "A"
 Physical Address 6410 SANSBURY BLVD., RICHMOND, TX 77469

(ATTACH A SITE MAP)

SITE USE

Driveway Curb & Gutter Section Driveway - Open Ditch Section _____
 Culvert Only _____

DRIVEWAY REQUIREMENTS

Length 20' minimum and 40' maximum Number of drives 1
 (Sec - Fort Bend County Procedures to be followed for Commercial Driveway, and Median Openings or Modifications)
 Available on website www.co.fort-bend.tx.us

Does project comply with Fort Bend County Lighting Regulation Yes (✓) No ()
 (Sec- Fort Bend County Outdoor Lighting Regulation on website www.co.fort-bend.tx.us)

- By signing and submitting this permit application, I am stating that I am the owner of this property and I am aware of and agree to abide by the Fort Bend County Regulations of Subdivisions and I am aware of Section 2, Item F in the Permits for the Construction of Driveways & Culverts on County Easements and Right of Ways in Fort Bend County, and am responsible to obtain all other required permits associated with the above mentioned property. Driveway and Pipe Permits shall provide that construction pursuant to the permit will be commenced within six months and be completed within nine months from the date of the permit and that fees collected for said permits shall not be refundable or transferable. I further understand the permit fee, in the form of CASH or PERSONAL CHECK or COMPANY CHECK or a CASHIERS CHECK or MONEY ORDER payable to FORT BEND COUNTY, must be attached.
- The undersigned applicant, agent or attorney hereby certifies to Commissioners' Court to be strictly bound to Commissioners' Court to construct the driveway and/or culvert in strict conformity with the plans, specifications, terms, provisions and conditions of the permit and any other written material incorporated by reference in this application.
- Other permits may be required for development. Please contact the Fort Bend County Road & Bridge Department for pipe sizing or the Fort Bend County Health Department for information on On-Site Sewage Facility permits prior to planning construction.
- Failure to possess or obtain required permits will result in legal action against the property owner as allowed by law.

Signature of Applicant, Agent or Attorney [Signature] Date 8/11/09
 Printed Name JEFFERY CLARK

LEGEND

- Type III Barricade
- Channelizing Devices
- Flag
- Heavy Work Vehicle
- Truck Mounted Attenuator
- Trailer Mounted
- Flashing Arrow Panel
- Portable Changeable Message Sign
- Flopper
- Sign Post

Form	Order	Material	Weight	Height	Length	Width	Area	Volume	Notes
30	MS 2	150' x 165'	180	30	60'-75'	120'			On a slope
35	L=60	205' x 225'	245	35	70'-90'	190'			On a slope
40		265' x 295'	320	40	80'-100'	240'			On a slope
45		450' x 495'	540	45	90'-110'	320'			On a slope
50		500' x 550'	600	50	100'-125'	400'			On a slope
55		550' x 605'	660	55	110'-140'	500'			On a slope
60		600' x 660'	720	60	120'-150'	600'			On a slope
65		650' x 715'	780	65	130'-165'	700'			On a slope
70		700' x 770'	840	70	140'-175'	800'			On a slope

* Conventional roads only
 ** Lower lengths have been rounded off.
 L=Length of lower (FE), width of offset (FE), S=sloped (FE), R=Radius (FE)

MOBILE	SHORT TERM	INTERMEDIATE	LONG TERM
✓	✓	✓	✓

- GENERAL NOTES:
- Unless otherwise stated in the plans, flags attached to the signs are REQUIRED. Traffic control devices illustrated are REQUIRED, except those denoted with the triangle symbol may be omitted when stated elsewhere in the plans.
 - The ROAD ONE LANE LEFT sign may be used following the RIGHT LANE CLOSED sign. Spacing distance between signs should be the same as the ROAD ONE LANE LEFT sign.
 - ROAD WORK AHEAD sign may be repeated if the visibility of the work zone is less than 1500' and not removed and traffic is directed over a double yellow centerline, the maximum spacing of channelizing devices in a tangent section should be no greater than 10 feet.

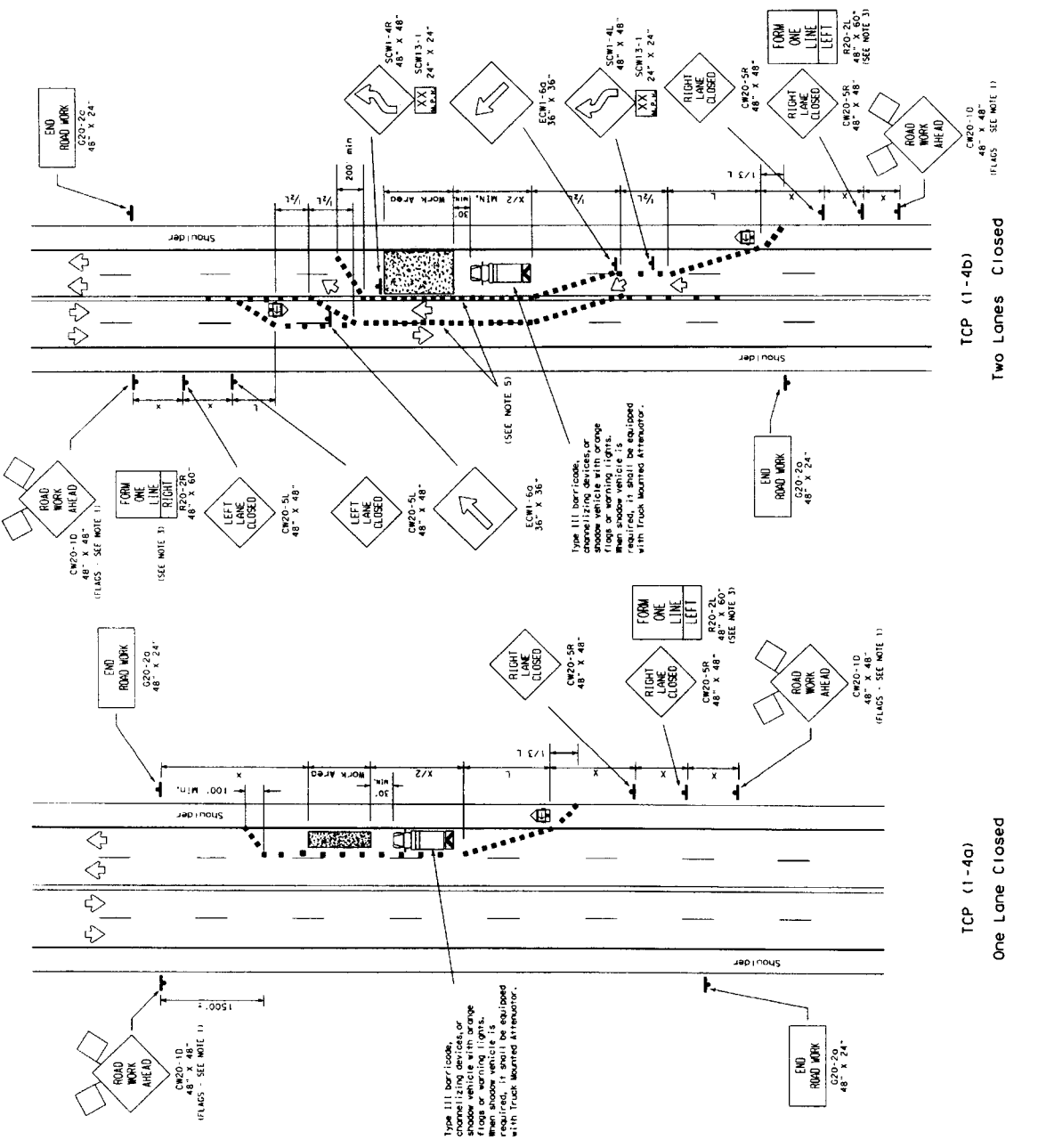
Only pre-qualified products shall be used. A list of compliant products and their sources may be obtained by writing or calling:
 Standards Engineer
 Traffic Operations Division - IE
 Texas Department of Transportation
 1200 Ross Street
 Austin, Texas 78701-2483
 Phone (512) 416-3335
 Fax (512) 416-3161
 E-mail: IE-Standards@dot.state.tx.us

The requirements for show vehicles will be listed in the project GENERAL NOTES, Item 502, Barricades, Signs and Traffic Handling.

STANDARD PLANS
 TEXAS DEPARTMENT OF TRANSPORTATION
 Traffic Operations Division

TRAFFIC CONTROL PLAN

TCP (1-4) - 98



TCP (1-4b)
Two Lanes Closed

TCP (1-4a)
One Lane Closed

DISCLAIMER
 The use of this standard is governed by the Texas Engineering Practice Act. No warranty is made by the Texas Department of Transportation for any errors and omissions. The user assumes all liability for any use of this standard or other products or services for which the Texas Department of Transportation is not responsible.