

# REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 23 day of MARCH, 2010, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of J AHO INC.

Job Location DITCH II-B-7-A

Dated 03/16/10 BOND NO. LPM 8979685 Permit No. 83723  
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 3<sup>rd</sup> 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 Statutes. Upon Motion of Commissioner Meyers, seconded by Commissioner Patterson, 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.

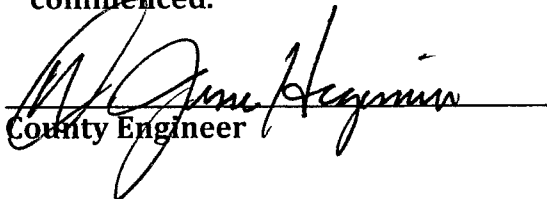
## Notes:

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

  
County Engineer

By

Drainage District Engineer/Manager

Presented to Commissioners Court  
and approved.

Recorded in Volume 3-23-10  
Minutes of Commissioners Court.

Clerk of Commissioners Court

By Sherry Fink  
Deputy

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

AUTHORIZED

BOND NO LPM 8979685

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, Jaho, Inc. 77396 whose  
address is 2003 Wilson Road, Houston, Texas, hereinafter called the Principal,  
and Fidelity and Deposit Company, a Corporation existing under and by virtue of  
the laws of the State of Maryland and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 1222 Merit Dr. #700, Dallas, TX 75251, whose  
officer residing in the State of Texas, authorized to accept service in all suits and actions brought  
within said State is Tracey Haley and whose address is 1222 Merit Drive, #1350, Dallas, TX 75251  
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 Fifteen Thousand Five Hundred  
Dollars (\$ 15,500) 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 26th day of February, 2010.

Site Location:  
Sunrise Meadow  
Section 5

Jaho, Inc.  
PRINCIPAL

BY

Fidelity and Deposit Company of Maryland  
SURETY

Jimmye Langford  
BY Jimmye Langford - Attorney-in-Fact

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**  
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, corporations of the State of Maryland, by WILLIAM J. MILLS, Vice President, and GERALD F. HALEY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Janie CERMENO, Jimmye LANGFORD, Joyce A. JOHNSON and Sherry SKINNER, all of Houston, Texas, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, each in a penalty not to exceed the sum of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) EXCEPT bonds on behalf of Independent Executors, Community Survivors and Community Guardians.** and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Janie CERMENO, Jimmye LANGFORD, Joyce A. JOHNSON, dated July 17, 2003.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seals of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, this 23rd day of March, A.D. 2006.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**  
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**



*Gerald F. Haley*

Gerald F. Haley Assistant Secretary

By:

*William J. Mills*

William J. Mills

Vice President

State of Maryland } ss:  
City of Baltimore }

On this 23rd day of March, A.D. 2006, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came WILLIAM J. MILLS, Vice President, and GERALD F. HALEY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Companies aforesaid, and that the seals affixed to the preceding instrument is the Corporate Seals of said Companies, and that the said Corporate Seals and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Dennis R. Hayden*

Dennis R. Hayden

Notary Public

My Commission Expires: February 1, 2009

## EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

## EXTRACT FROM BY-LAWS OF COLONIAL AMERICAN CASUALTY AND SURETY COMPANY

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

## CERTIFICATE

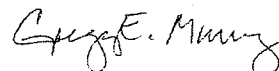
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the respective By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990 and of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies,

this 26th day of February, 2010.



Assistant Secretary



**NOTICE OF PROPOSED CABLE, CONDUIT AND/OR POLE LINE ACTIVITY  
IN, UNDER, ACROSS OR ALONG ROADS, STREETS, HIGHWAYS AND DRAINAGE DITCHES  
IN FORT BEND COUNTY**

APPLICANT'S JOB NO. 0936-113  
 PERMIT No. 83723 PCT. No. #1  
 BOND No. LPM 8979685

Formal notice is hereby given that \_\_\_\_\_  
 proposes to lay, construct, maintain and/or repair cable, conduit and/or pole line, in, under,  
 across, or along roads, streets, highways and drainage ditches in Fort Bend County, as follows:

**In, Under, or Across Roads and/or Drainage Ditches**

Road or Ditch Name	Distance & Direction From Nearest Intersection	Length of Crossing	Type of Construction
Ditch II-B-7-A	250' SW of Sunrise Meadow Dr and Primrose Gate LN	150'	Box and Headwalls

**Along Roads and/or Drainage Ditches**

Road or Ditch Name	Distance & Direction From Nearest Intersection	To	Distance

**General Description**

9X5 Box's w/headwalls in ditch II-B-7-A

The Location and description of the proposed installation and appurtenances is more fully shown on the attached detail drawings. The laying, construction, maintenance and/or repair of the proposed installation shall be subject to "A Revised Order Regulating the Laying, Construction, Maintenance and/or Repair of Cables, Conduits, and/or 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 Commissioners Court of Fort Bend County, Texas, dated the 3rd. day of August, 1987, recorded in Volume 639 of the Minutes of the Commissioners Court of Fort Bend County, Texas.

Written notices are required: 1) 48 hours in advance of start of construction and  
 2) when construction is complete and ready for final inspection.

Mail to: Permit Administrator/Fort Bend County Engineering  
 P.O. Box 1449, Rosenberg, TX 77471.

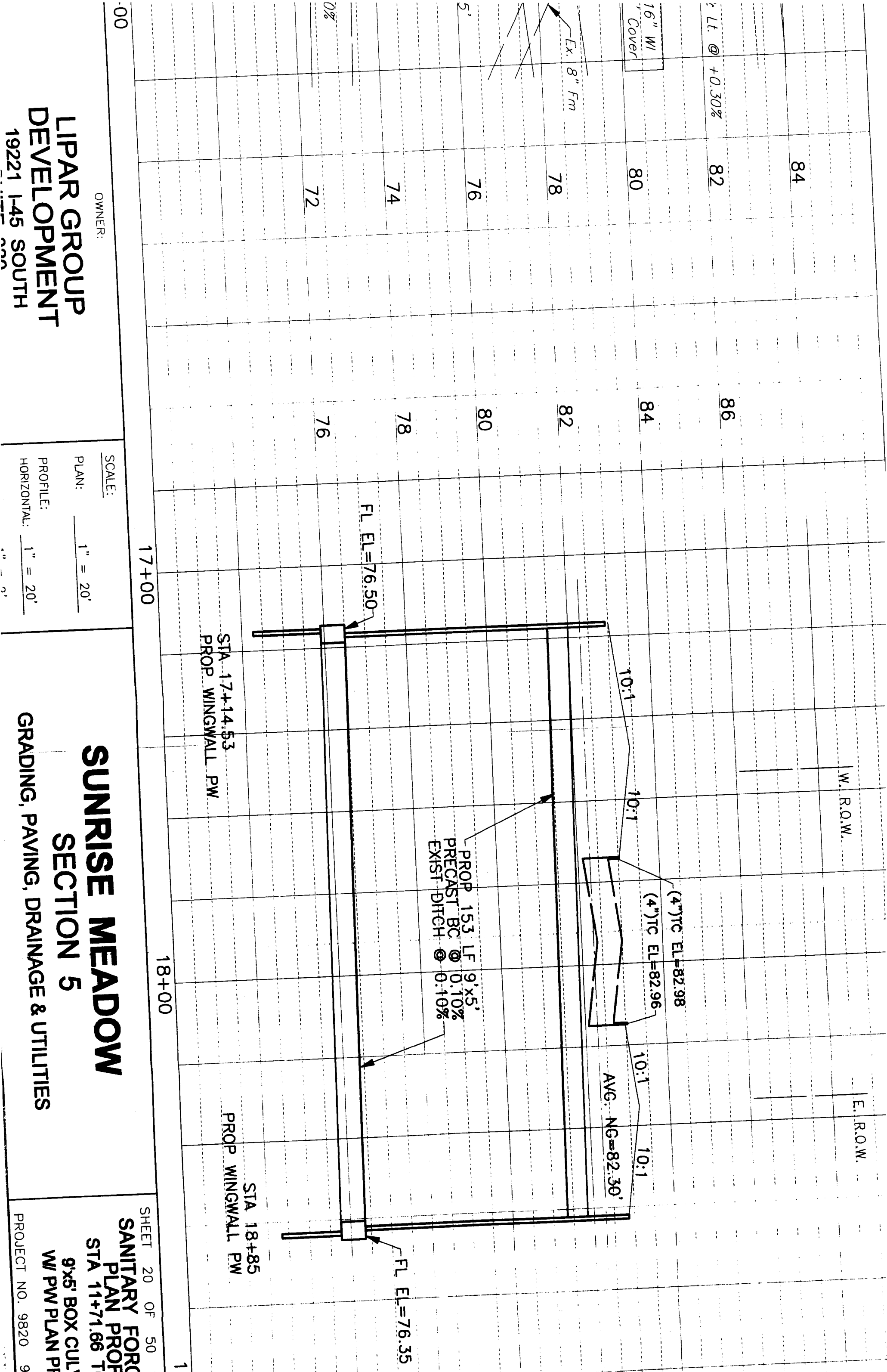
Violation of requirements shall constitute grounds for job shut down.

Does project  
 comply with Fort  
 Bend County  
 Outdoor Lighting  
 Ordinance?

Yes ( ☒ )

No ( ☐ )

COMPANY NAME: J A H O INC.  
 \_\_\_\_\_  
 \_\_\_\_\_ AGENT and/or OWNER  
 \_\_\_\_\_  
 \_\_\_\_\_ (Signature)  
 NAME & TITLE TRUMAN E. MOFFETT, V.P.  
 \_\_\_\_\_  
 \_\_\_\_\_ (Please Print)  
 DATE 3-2-10  
 ADDRESS 2003 Wilson Rd  
 \_\_\_\_\_  
 \_\_\_\_\_ (Street/P.O. Box)  
Humble TX 77396  
 City State Zip  
 TELEPHONE NO: 281-446-4781  
 \_\_\_\_\_  
 (accessible 24 hrs/day, 7 days/week)



OWNER: \_\_\_\_\_

SCALE: \_\_\_\_\_

PLAN: 1" = 20'

PROFILE: \_\_\_\_\_

HORIZONTAL: 1" = 20'

**LIPAR GROUP**  
**DEVELOPMENT**  
19221 I-45 SOUTH

**SUNRISE MEADOW**  
**SECTION 5**  
GRADING, PAVING, DRAINAGE & UTILITIES

SHEET 20 OF 50 SH

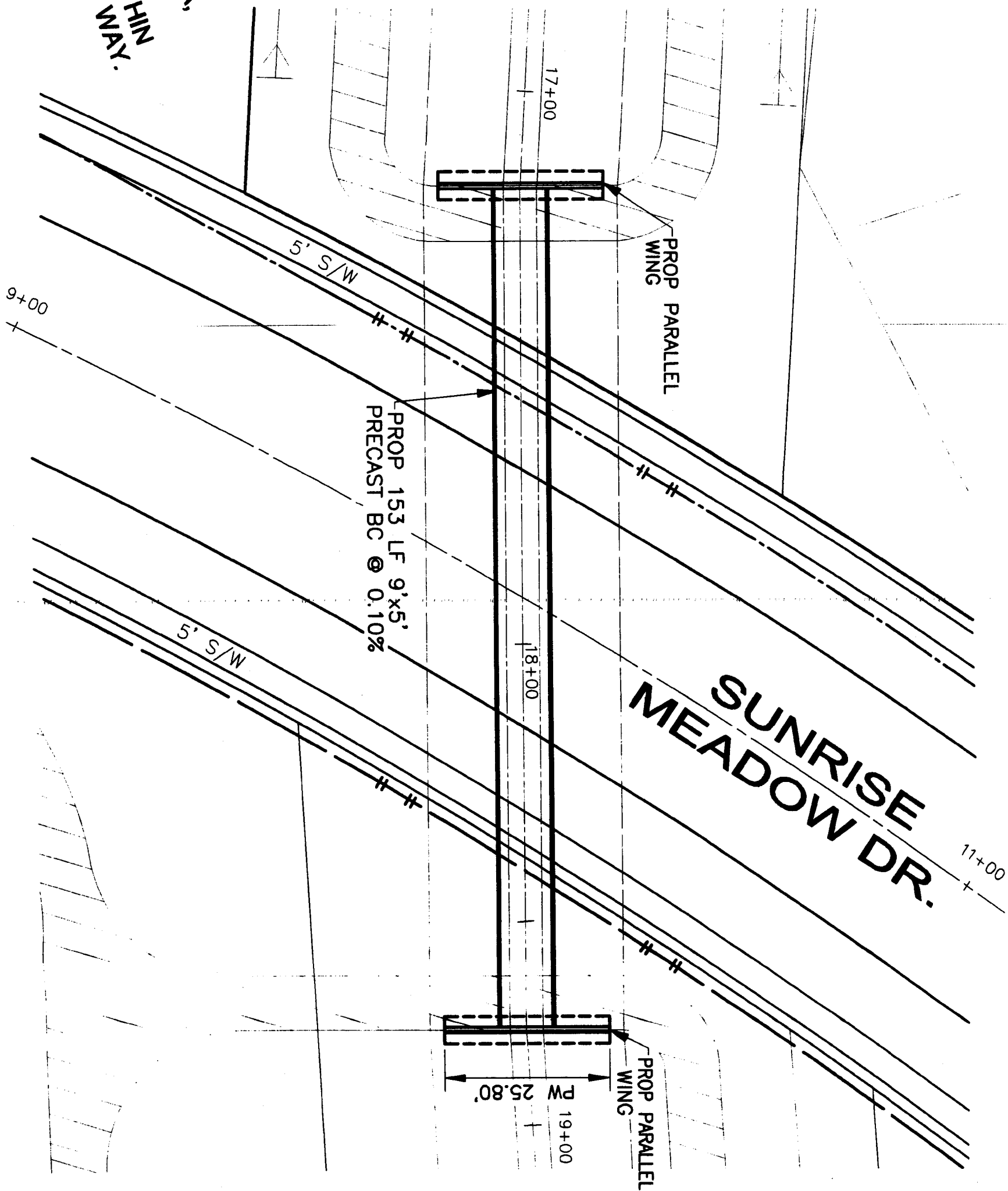
**SANITARY FORCE**  
**PLAN PROFILE**  
STA 11+71.66 TO

9'x5' BOX CULVE  
W/ PW PLAN PRC

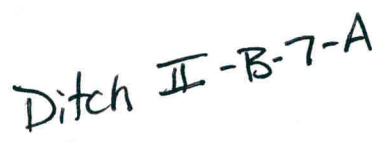
PROJECT NO. 9820 982

MUST CONTACT MR. JOHNNY ORTEGA,  
COUNTY PERMIT ADMINISTRATOR, WITHIN  
30 DAYS PRIOR TO ANY DISTRICT RIGHT OF WAY  
DRAINAGE

SEE SUNRISE SECTION 4  
PLAN SHEET FOR DITCH PROFILES





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**APPROVAL IS IMPLIED FOR IMPROVEMENTS  
WITHIN FORT BEND COUNTY RIGHTS OF**