

REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 22 day of JUNE, 2010, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of HAWKINS LEASE SERVICE, INC.

Job Location GREENBUSCH

Dated 06/15/10 BOND NO. TX 706626 Permit No. 83775
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 Statutes. Upon Motion of Commissioner Meyers, seconded by Commissioner Prestage, 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.

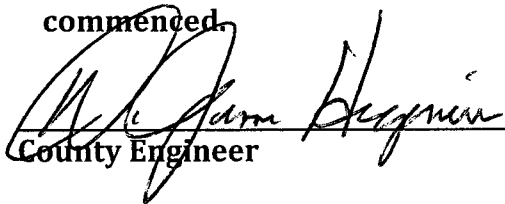
Notes:

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

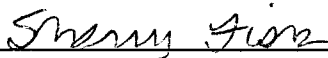
By

Drainage District Engineer/Manager

Presented to Commissioners Court and approved.

Recorded in Volume 6-22-10
Minutes of Commissioners Court.

Clerk of Commissioners Court

By 
Deputy

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

AUTHORIZED

BOND NO. TX 706626

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

§

THAT WE, Hawkins Lease Service, Inc. whose address is P.O. Box 1699, Alvin, Texas, hereinafter called the Principal, and Merchants Bonding Company (Mutual), a Corporation existing under and by virtue of the laws of the State of Iowa and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 8303 North MoPac, Suite B 400, Austin, Texas 78759, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Josh Penwell and whose address is 8303 North MoPac, Suite B 400, Austin, Texas 78759, 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 and No/100*** 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 2nd day of June, 20 10.

Hawkins Lease Service, Inc.

PRINCIPAL

BY

Merchants Bonding Company (Mutual)

SURETY

BY Donna Weinert, Attorney-in-Fact

POWER OF ATTORNEY

Bond No. TX 706626

KNOW ALL PERSONS BY THESE PRESENTS: That MERCHANTS BONDING COMPANY (MUTUAL) is a corporation duly organized under the laws of the State of Iowa, and that NATIONS BONDING COMPANY is a corporation duly organized under the laws of the State of Texas (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Patsy Beall, Joseph C. Blackshear, Jr., G. C. Blystone, Jr., Betty A. Bush, Geri Johnson,
A. A. Shotwell, Mark Smith, Donna Weinell

of Texas City and State of Texas their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

FIFTEEN MILLION (\$15,000,000.00) DOLLARS

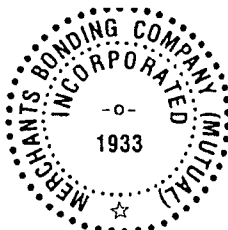
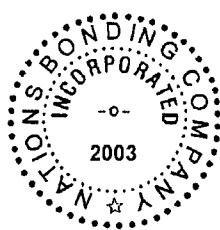
and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following bylaws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on November 16, 2002 and adopted by the Board of Directors of Nations Bonding Company on April 19, 2003.

"The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 1st day of February, 2010.



MERCHANTS BONDING COMPANY (MUTUAL)
NATIONS BONDING COMPANY

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 1st day of February, 2010, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and NATIONS BONDING COMPANY; and that the seals affixed to the foregoing instrument are the corporate seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.

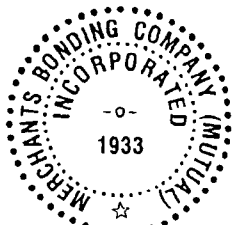


Cindy Smyth
Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and NATIONS BONDING COMPANY, do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 2nd day of June, 2010.



William Warner Jr.
Secretary

**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 INFORMATIONApplication No. 83715

(County Use Only)

Applicant Name Hawkins Lease Service, Inc
 Applicant Mailing Address PO BOX 1699
 City Alvin State TX Zip 77512
 Work Phone 281-331-2739 Daytime Phone 832-731-0041
 Property Owner's Name Enstor Katy Storage and Trans Phone 713-805-1022
 Property Owner's Mailing Address 20329 State Highway 249 Ste 400
 City Houston State TX Zip 77070

LOCATION OF PROPERTY

Subdivision _____ Sec _____ Lot _____ Blk _____
 Physical Address Green Bush Road (see attached)

(ATTACH A SITE MAP)

SITE USE

Driveway Curb & Gutter Section _____ Driveway - Open Ditch Section 30' of 24"
 Culvert Only _____

DRIVEWAY REQUIREMENTS

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

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

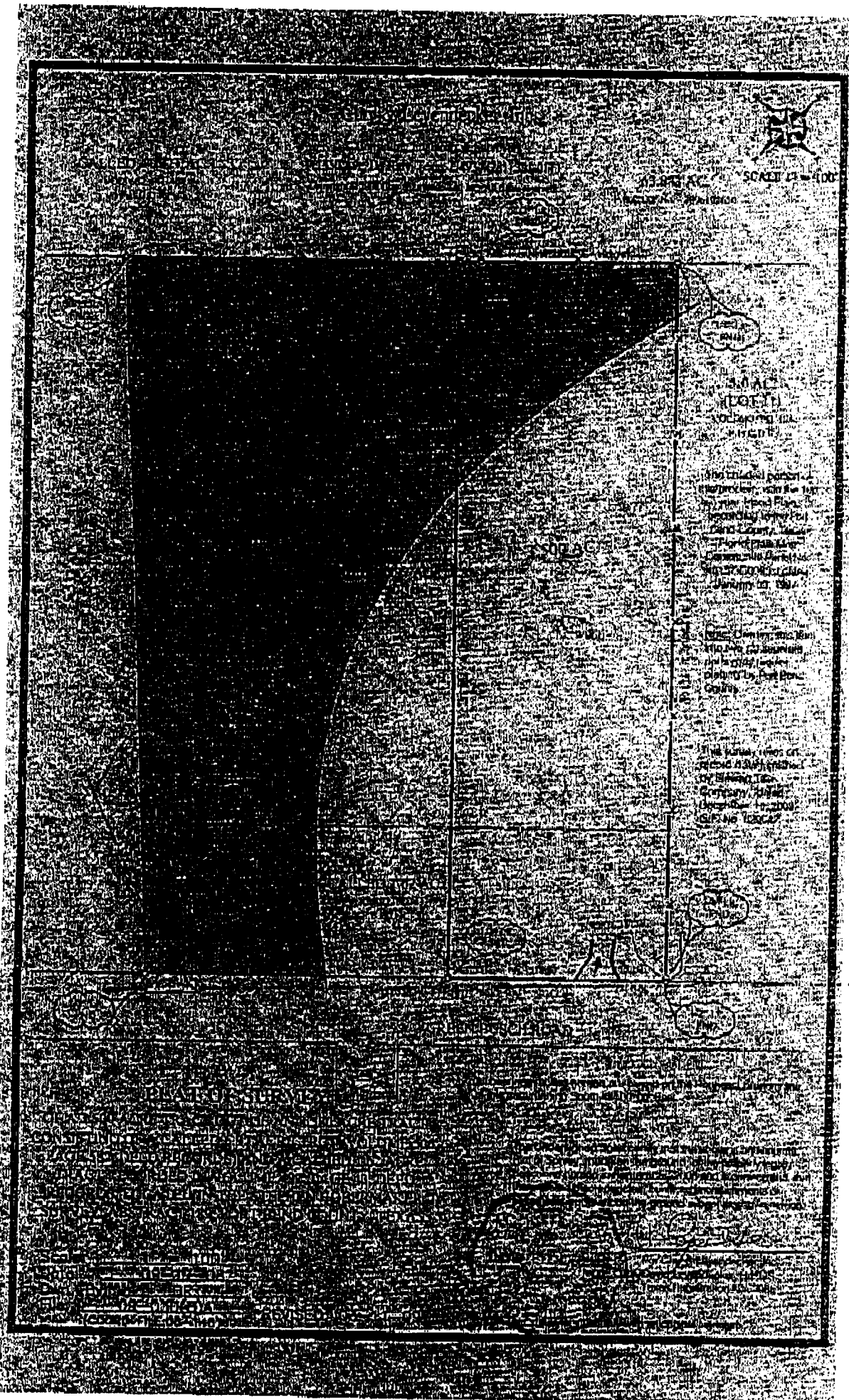
- By signing and submitting this permit application, I am stating that I am the owner of this property and I am aware of and agree to abide by the Fort Bend County Regulations of Subdivisions and I am aware of Section 2, Item F in the Permit for the Construction of Driveways & Culverts on County Easements 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

Date

Printed Name

AS PER ORIGINAL



FIELD NOTES FOR A 3.500 ACRE TRACT OF LAND OUT OF AN 8.580 ACRE TRACT CONSISTING OF A CALLED 6.97 ACRE TRACT (VOLUME 506, PAGE 582 DEED RECORDS) AND A CALLED 1.62 ACRE TRACT (VOLUME 492, PAGE 43 DEED RECORDS) BEING SITUATED IN THE STEPHEN HOBERMAKER SURVEY, ABSTRACT 189, FORT BEND COUNTY, TEXAS.

BEGINNING: At a ½ inch iron pipe found for the East corner of the 8.580 acre tract, same being the East corner of this 3.500 acre tract, said point being located in the Northwest Right-of-Way line of Green Busch Road and being the South corner of an adjoining 5.0 acre tract (Lot 11) recorded in Volume 683, Page 105 Deed Records; a 5/8 inch iron rod found bears North 42° 16' 35" West a distance of 3.36 feet;

THENCE: South 44° 53' 53" West a distance of 214.97 feet along the Northwest Right-of-Way of Green Busch Road to a ½ inch iron rod set for the South corner of this tract and being the East corner of the residue of said 8.580 acre tract (5.080 acres surveyed at the same time as this tract and not yet recorded);

THENCE: North 45° 00' 00" West a distance of 708.53 feet to a ½ inch iron rod set for the West corner of this tract being the North corner of the 5.080 acre tract being in the Southeast line of a 41.921 acre tract (Volume 662, Page 408 Deed Records);

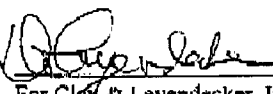
THENCE: North 44° 48' 40" East a distance of 21.22 feet to a ½ inch iron rod found for the East corner of the 41.921 acre tract and the South corner of a 63.883 acre tract (Clerk's File Number 2006102656);

THENCE: North 44° 28' 08" East a distance of 193.76 feet to the North corner of this tract, same being the North corner of the original 8.580 acre tract, said point being the West corner of the before mentioned 5.0 acre tract;

THENCE: South 45° 00' 00" East a distance of 710.01 feet to the **PLACE OF BEGINNING** and containing 3.500 acres of land.

The bearings recited herein are based on the Northeast line of the original 8.580 acre tract (Northeast property line of this tract) running South 45° 00' 00" East.

This survey consists of a separate plat and a legal description.


For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.

Texas Registration No: 2085

March 18, 2009

Br

HOBERMAKER-3.500AC-09-030(B)

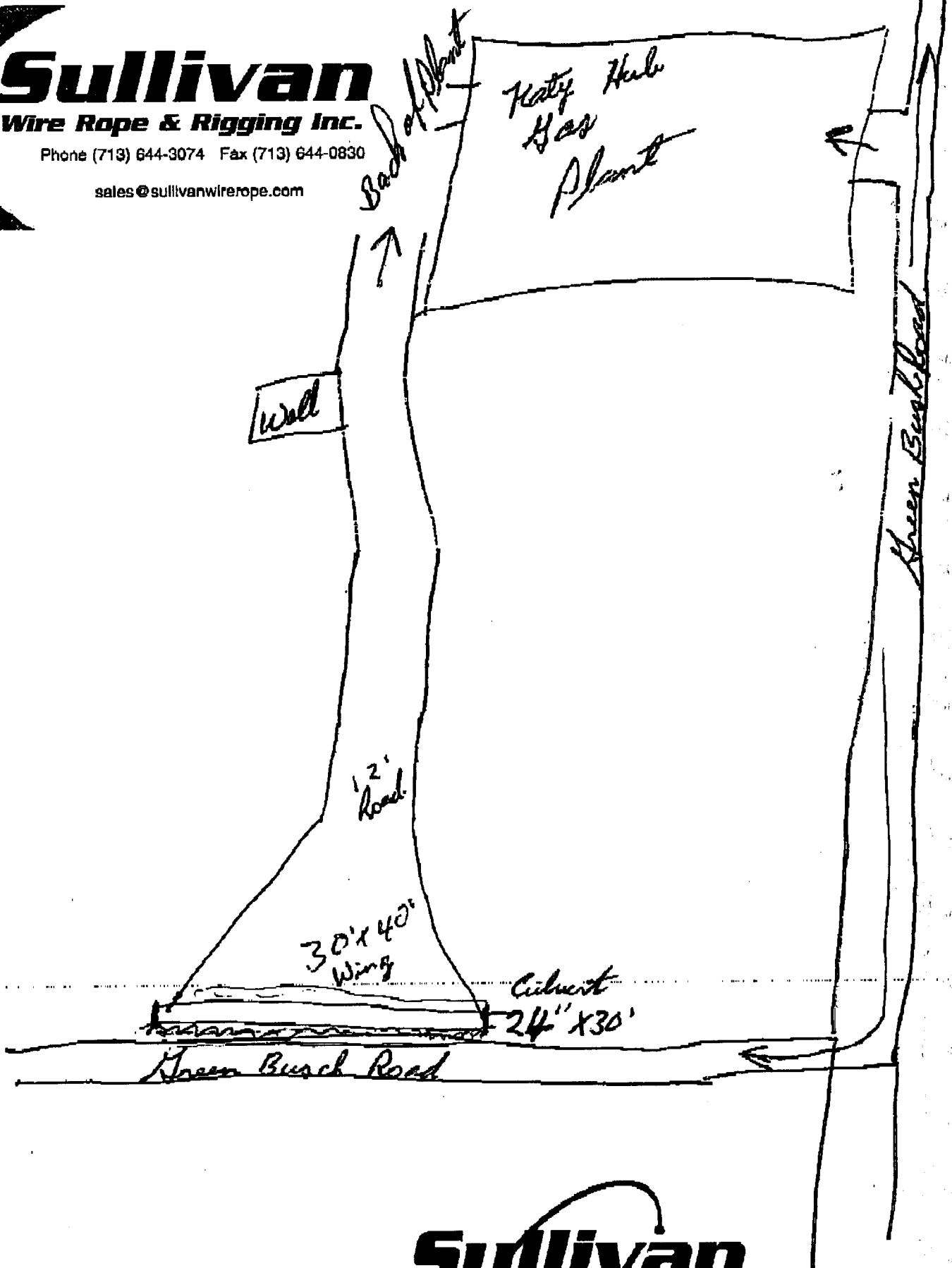


Sullivan

Wire Rope & Rigging Inc.

Phone (713) 644-3074 Fax (713) 644-0830

sales@sullivanwirerope.com

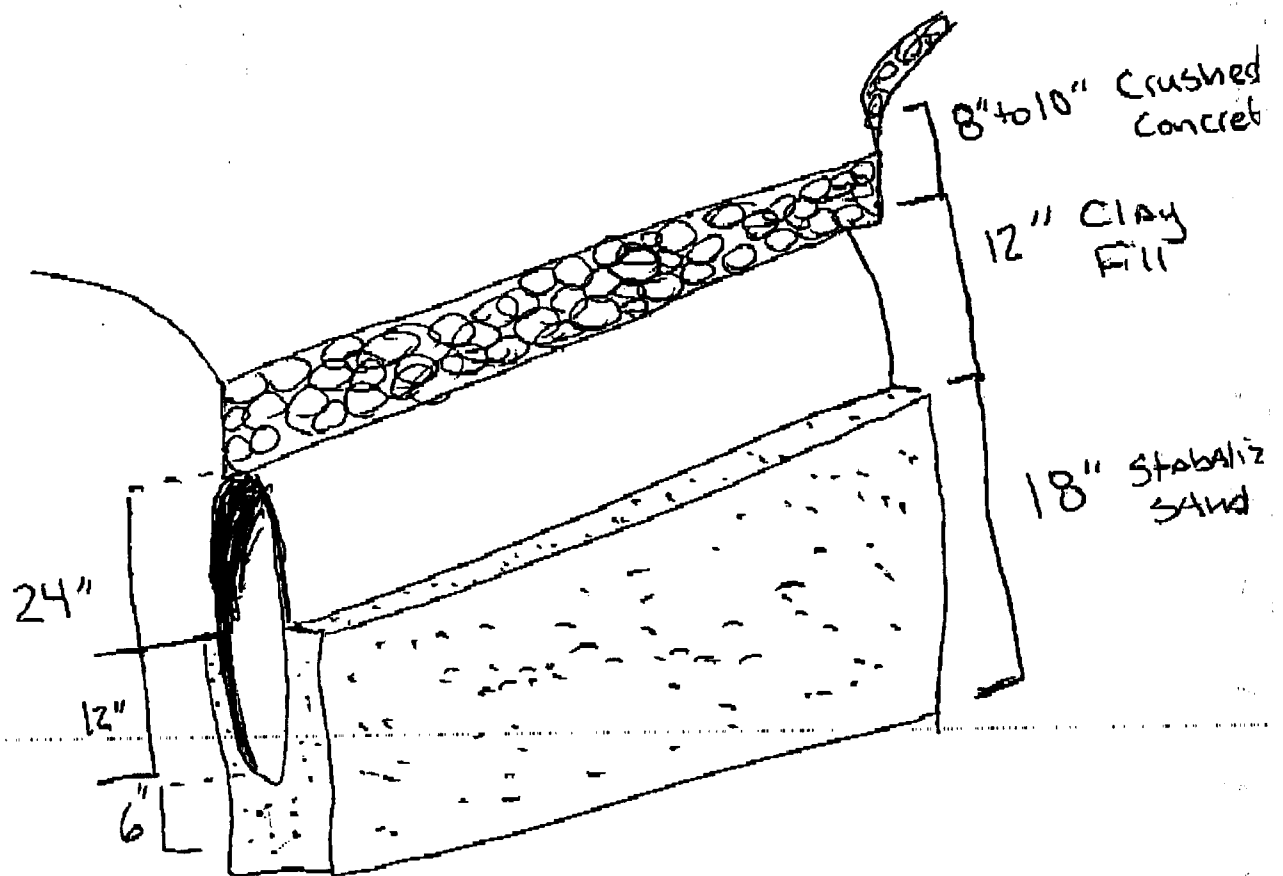


Sullivan

Measurement & Technologies

Phone (713) 715-7302 Fax (713) 715-1013

sales@sullivan-usa.com





Hawkins Lease Service, Inc.
PO Box 1699
Alvin, Texas 77512-1699
Phone: 281/331-2739
Fax: 281/585-4295

May 24, 2010

Fort Bend County Engineering Permit Dept.
PO Box 1449
1124 Blum Road
Rosenberg, TX 77471

Mr. Johnny Ortega
Tel: 281/633-7500
Fax: 281/342-7366

Hawkins Lease Service will supply TX-DOT Safety signs for Green Busch Road when setting culverts.

Sincerely,

George Smith, Field Superintendent
832/731-0041