

**REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT**

On this 10 day of AUGUST, 2010, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of H.L.U. SERVICES INC. dba HOUSTON LANDSCAPES UNLIMITED

Job Location OLD RICHMOND

Dated 07/30/10 BOND NO. 1879773 Permit No. 83798  
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 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

By N/A  
Drainage District Engineer/Manager

Presented to Commissioners Court  
and approved.

Recorded in Volume 8-10-10  
Minutes of Commissioners Court.

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 1879773  
THE STATE OF TEXAS §  
COUNTY OF FORT BEND §  
KNOW ALL MEN BY THESE PRESENTS:

THAT WE, H.L.U. Services, Inc. dba Houston Landscapes Unlimited whose address is 14010 Old Richmond Rd., Sugar Land, Texas 77478, Texas, hereinafter called the Principal, and The Hanover Insurance Company, a Corporation existing under and by virtue of the laws of the State of Massachusetts and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 440 Lincoln St. Worcester, MA 01653, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is John Murphy and whose address is 9894 Bissonnet #850, Houston, Texas 77036-8253, 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 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 23rd day of July, 2010.

H.L.U. Services, Inc. dba Houston Landscapes Unlimited

PRINCIPAL

BY

The Hanover Insurance Company

SURETY

BY John M. Murphy, Attorney-In-Fact



The Hanover Insurance Company | 440 Lincoln Street, Worcester, MA 01653  
Citizens Insurance Company of America | 645 West Grand River Avenue, Howell, MI 48843  
Massachusetts Bay Insurance Company | 440 Lincoln Street, Worcester, MA 01653

## TEXAS POLICYHOLDER NOTICE

### IMPORTANT NOTICE

You may call The Hanover Insurance Company's telephone number listed below for information or to make a complaint:

**1-800-343-6044**

You may also write to The Hanover Insurance Company at:

Attn: Bond Department  
440 Lincoln Street  
Worcester, MA 01653

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

**1-800-252-3439**

You may write to the Texas Department of Insurance at:

Texas Department of Insurance  
P. O. Box 149104  
Austin, TX 78714-9104

Fax (512) 475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

### Premium or Claims Disputes:

Should you have a dispute concerning your premium or about a claim, you should contact your agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

### Attach This Notice to Your Policy:

This notice is for information only and does not become a part or condition of the attached document.

This Power of Attorney may not be used to execute any bond with an inception date after July 1, 2011

THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY  
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

John M. Murphy and/or Jeff A. Jacobson

of Houston, TX and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated

any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:  
Any such obligations in the United States, not to exceed Five Million and No/100 (\$5,000,000) in any single instance

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Assistant Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by a Vice President and an Assistant Vice President, this 2nd day of July, 2008.



THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

*Mary Jeanne Anderson*

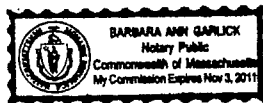
Mary Jeanne Anderson, Vice President

*Robert K. Grennan*

Robert K. Grennan, Assistant Vice President

THE COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF WORCESTER ) ss.

On this 2nd day of July 2008, before me came the above named Vice President and Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



*Barbara A. Garlick*  
Notary Public

My commission expires on November 3, 2011

I, the undersigned Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Assistant Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 23 day of July, 2010



THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

*Stephen L. Brault*

Stephen L. Brault, Assistant Vice President

# COUNTY OF FORT BEND

## Engineering Department

P.O. BOX 1449

Rosenberg, Texas 77471-1449

Johnny Ortega

Permit Administrator

1124 Blume Road

Phone: (281) 341-7500

### PERMIT APPLICATION REVIEW FORM FOR CABLE, CONDUIT, AND POLE LINE ACTIVITY IN FORT BEND COUNTY

PERMIT NO. 000798

The following "Notice of Proposed Cable, Conduit, and/or Pole Line activity in Fort Bend County" and accompanying attachments have been reviewed and the notice conforms to appropriate regulations set by Commissioner's Court of Fort Bend County, Texas.

- X (1) Complete Application Form.
- X a. Name of road, street, and/or drainage ditch affected.
- X b. Vicinity map showing course of direction.
- c. Plans and specifications.

- (2) Bond:
- District Attorney, approval when applicable.
- Perpetual bond currently posted.
- No.
- Amount
- X Performance bond submitted.
- No. 1879773
- Amount \$5,000.00
- Cashier's Check.
- No.
- Amount

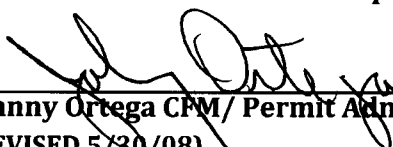
- (3) Verbal permission given for emergencies, to start construction before approved in Commissioner's Court.

       Precinct Engineer Acknowledgment        Date       

       Precinct Commissioner Acknowledgment        Date       

- (4)
- Drainage District Approval when applicable

We have reviewed this project and agree it meets minimum requirements.

  
Johnny Ortega CEM/ Permit Administrator  
(REVISED 5/30/08)

07/30/2010  
Date

DEAN -  
(281) 808.6230

**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

Please Let us  
Know Cost

We will Mail  
check

ATT: Johnny

**APPLICANT INFORMATION**

Application No. 83798

(County Use Only)

Applicant Name

H.L.U. Services, inc.

(DEAN N. CARPENTER)

Applicant Mailing Address

14000 Old Richmond Rd.

City

Sugar Land

State

TX

Zip

77498

Work Phone

281 808 6230

Daytime Phone

281 568 7500

Property Owner's Name

H.L.U. Services

Phone

281 568 7500

Property Owner's Mailing Address

14000 Old Richmond Rd

City

Sugar Land

State

TX

Zip

77498

**LOCATION OF PROPERTY**

Subdivision

Old Richmond Farms

Sec

Lot

Blk

Physical Address

14010 Old Richmond Rd

Sugar Land TX

(ATTACH A SITE MAP)

77498

**SITE USE**

Driveway Curb & Gutter Section

Driveway - Open Ditch Section

40 Feet

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.co.fort-bend.tx.us](http://www.co.fort-bend.tx.us)

Does project comply with Fort Bend County Lighting Regulation

Yes ( X )

No ( )

(See- Fort Bend County Outdoor Lighting Regulation on website [www.co.fort-bend.tx.us](http://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

For H.L.U. Services, inc.

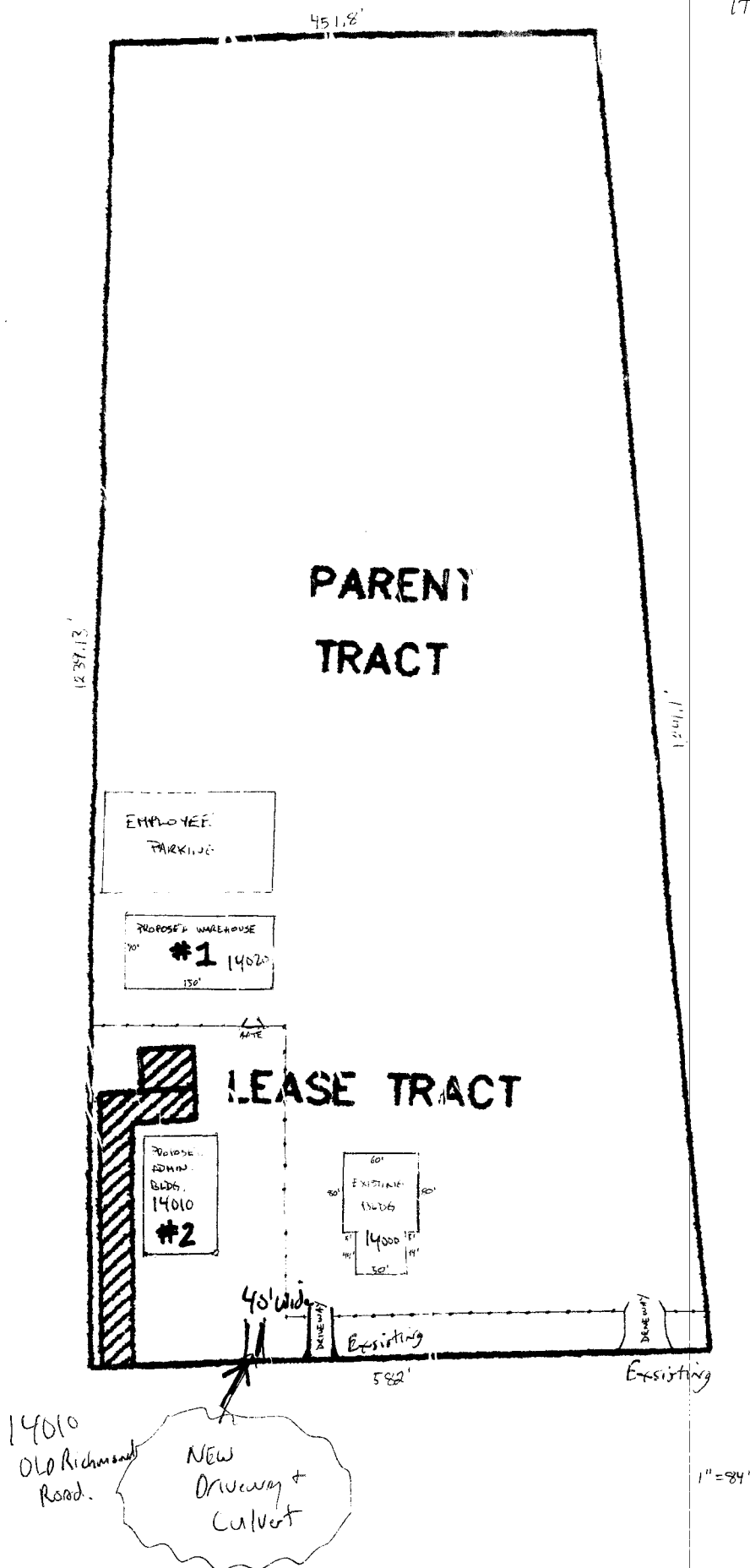
Date

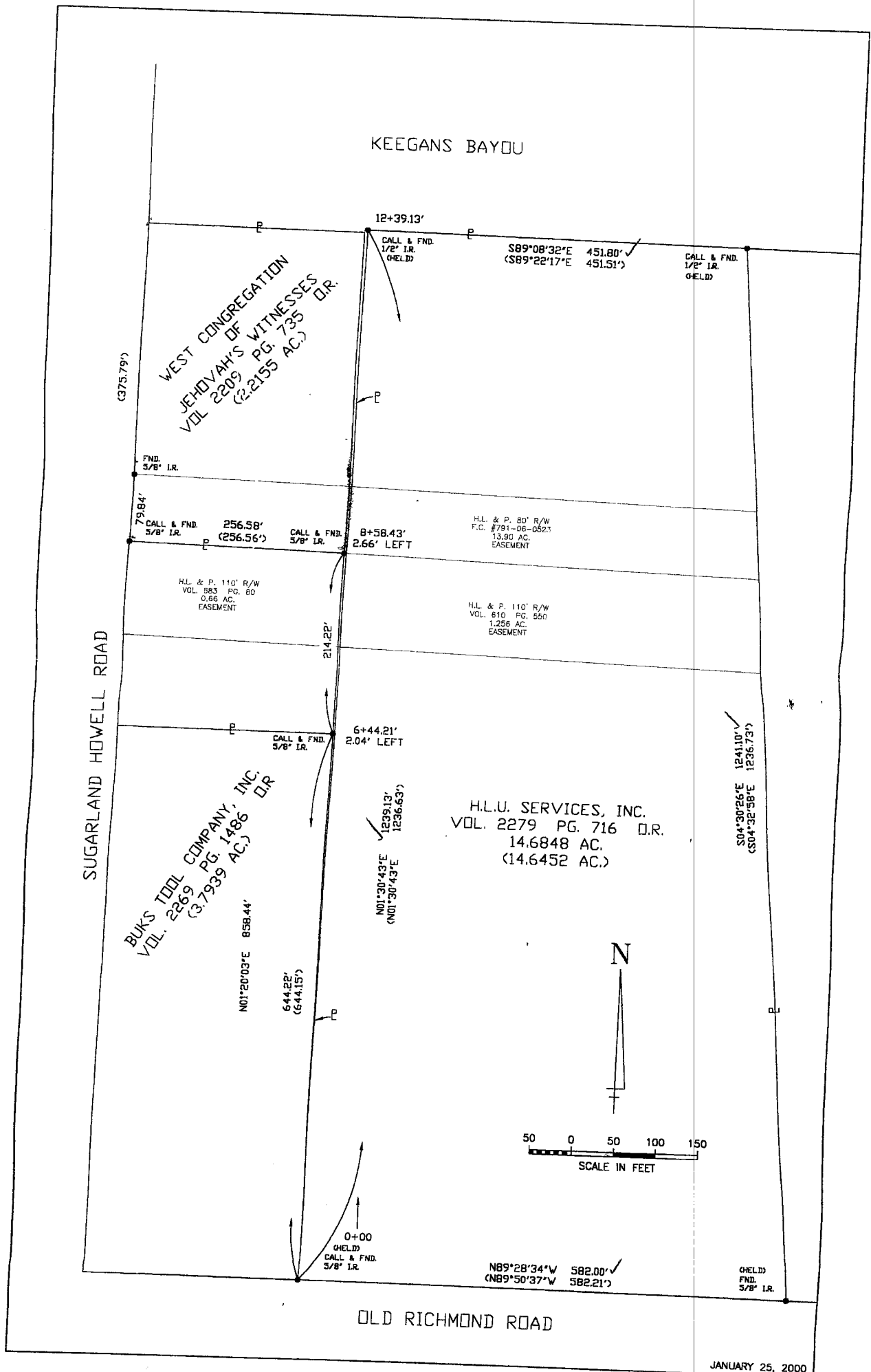
7-21-2010

Printed Name

DEAN N. CARPENTER  
President

HLu

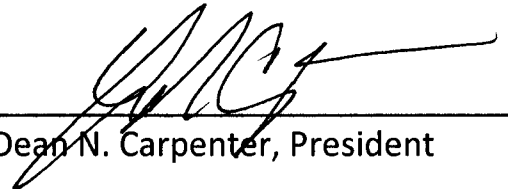







**H.L.U., Inc.**  
**14000 Old Richmond Road**  
**Sugar Land, TX 77498**  
**Phone: (281)-568-7500 · Fax: (281)-575-7900**

H.L.U. Services, Inc. plans on installing culverts at 14010 Old Richmond Road in the early morning hours when traffic is limited. H.L.U. Services, Inc. will have two flag men and traffic cones to insure the safety of all traffic and pedestrians.

  
\_\_\_\_\_  
Dean N. Carpenter, President

  
\_\_\_\_\_  
Date