

# 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 LANDMARK HOMEBUILDERS

Job Location OAK SHADE DRIVE

Dated 07/28/10 BOND NO. LLI2112723 Permit No. 83797

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 ROAD, COMMERCIAL  
DRIVEWAY AND MEDIAN OPENINGS OR MODIFICATIONS**

AUTHORIZED

BOND NO LLI2112723

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

§

THAT WE, Landmark Homebuilders, Inc. whose address is 4134 Bluebonnett, Ste 110, Stafford, TX 77477 Texas, hereinafter called the Principal, And Old Republic Surety Company, a Corporation existing under and by virtue of the laws of the state of Wisconsin and authorized to do an indemnifying business in the state of Texas, and whose principal office is located at P.O. Box 1635, Milwaukee, WI 53201, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought whining said state is Cliff Miller and Whose address is 8111 I.B.J Freeway, Suite 530, Dallas, TX 75365 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, commercial driveway and median openings or modifications 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, commercial driveway and median openings or modifications;

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, commercial driveway and median openings or modifications 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.

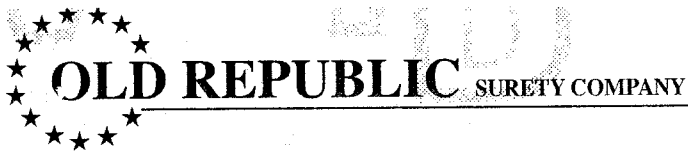
EXECUTED this 26th day of July, 20 10.

Landmark Homebuilders, Inc.  
PRINCIPAL

BY

Old Republic Surety Company  
SURETY

BY



## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

WES WEATHERED, MICHAEL HOTCHKISS, ANDREA M. PENALOZA, MONICA ENGLISH, TYE H. JUSTICE, DAPHNE B. CLARK, OF HOUSTON, TX

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$10,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds), as follows:

ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED AN AGGREGATE OF TWO MILLION DOLLARS (\$2,000,000) ----- FOR ANY SINGLE OBLIGATION, REGARDLESS OF THE NUMBER OF INSTRUMENTS ISSUED FOR THE OBLIGATION.

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This document is not valid unless printed on colored background and is multi-colored. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that, the president, any vice-president, or assistant vice president in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER, that 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 affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 19TH day of NOVEMBER, 2009.

Assistant Secretary



OLD REPUBLIC SURETY COMPANY

President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 19TH day of NOVEMBER, 2009, personally came before me, GERALD C. LEACH and RICK A. JOHNSON to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say; that they are said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Notary Public

My commission expires: 12/02/2012

### CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

89-4417



Signed and sealed at the City of Brookfield, WI this 26th day of July, 2010

HOTCHKISS INC., LLC

Assistant Secretary

## IMPORTANT NOTICE

To obtain information or make a complaint:

You may call Old Republic Surety Company's and/or Old Republic Insurance Company's toll-free telephone number for information or to make a complaint at:

**1-(800) 527-9834**

You may also write to Old Republic Surety Company and/or Old Republic Insurance Company at:

**PO Box 569480  
Dallas, TX 75356-9480**

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 the 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 CLAIM DISPUTES:**

Should you have a dispute concerning your premium or about a claim you should contact the agent or Old Republic Surety Company and/or Old Republic Insurance 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.

## AVISO IMPORTANTE

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Old Republic Surety Company's / Old Republic Insurance Company's para informacion o para someter una queja al:

**1-(800) 527-9834**

Usted tambien puede escribir a Old Republic Surety Company / Old Republic Insurance Company:

**PO Box 569480  
Dallas, TX 75356-9480**

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companies, coberturas, derechos o quejas al:

**1-(800) 252-3439**

Puede escribir al Departamento de Seguros de Texas:

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)

### **DISPUTAS SOBRE PRIMAS O RECLAMOS:**

Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con el agente o Old Republic Surety Company / Old Republic Insurance Company primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

**UNA ESTE AVISO A SU POLIZA:** Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.

# 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. 083797

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. LLI2112723
- 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 CFM/ Permit Administrator  
(REVISED 5/30/08)

07/28/2010  
Date

**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. 83799  
(County Use Only)

Applicant Name LANDMARK HOMEBUILDERS  
Applicant Mailing Address 4134 BLUEBONNET DR SUITE 110  
City STAFFORD State TX Zip 77477  
Work Phone 281-265-1400 Daytime Phone Cell 713-446-3444  
Property Owner's Name BRUCE SPITZENGEL Phone 713-252-5872  
Property Owner's Mailing Address 1711 OAK SHADK  
City SUGAR LAND State TX Zip 77479

**LOCATION OF PROPERTY**

Subdivision GREATWOOD - CHARLSTON ESTATES Sec 1 Lot 8 Blk 2  
Physical Address 1711 OAK SHADK DR SUGAR LAND, TX 77479

(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  
(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 ( ☒ ) 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.

Chuck Jorgensen 7/22/10  
Signature of Applicant, Agent or Attorney Date  
CHUCK JORGENSEN  
Printed Name

3 PAGES

7/1/10

JILL WILLIAMS



281-545-1134

### ARCHITECTURAL MODIFICATION REQUEST FORM

Owner's Name BRUCE SPITZENGE Phone (H) 281-980-2021 (W) 713-252-5872

Address 1711 OAK SHADIL DR Lot 8 Block 2 Section 1

#### NO SUBMISSIONS WILL BE APPROVED UNLESS THE FOLLOWING ITEMS ARE INCLUDED:

Sketches; site plan (survey) showing house, lot lines, dimensions and easements; elevations (including side views) showing dimensions and photos sufficient to describe the project in detail. For any exterior painting requests, a photo of the brick must be included with this application. Should you have any questions, please call Houston Community Management at 832-864-1200 or 1-800-568-6807.

#### BRIEFLY DESCRIBE THE ALTERATION OR IMPROVEMENT WHICH YOU PROPOSE:

ADDITIONAL DRIVEWAY AS SHOWN ON PLOT PLAN

#### LOCATION OF IMPROVEMENT:

Side of house ☒ Front of house ☐ Back of house ☐ Roof of house ☐ Patio ☐ Garage ☐  
Other (Describe) \_\_\_\_\_

#### Materials Necessary for Proposed Improvement (check):

Paint color(s)		
Stain color(s)		
Lumber type(s)		
Brick type(s)		
Screen type(s)		
Concrete		
Pipe		
Electrical		
Fence type		
Height		
Other		

7/1/10

Construction  
Start Date

7/3/10

Completion  
Date

Bruce Spitzengel

Homeowner's Signature

6/18/10

Date

#### MAIL OR FAX COMPLETED FORM TO:

ALL APPLICATIONS MUST BE RECEIVED NO LATER  
THAN THE 20th OF EACH MONTH

Greatwood Community Association, Inc.  
Houston Community Management Services, Inc.  
17049 El Camino Real, Suite 100  
Houston, TX 77058  
Fax (281) 218-6973

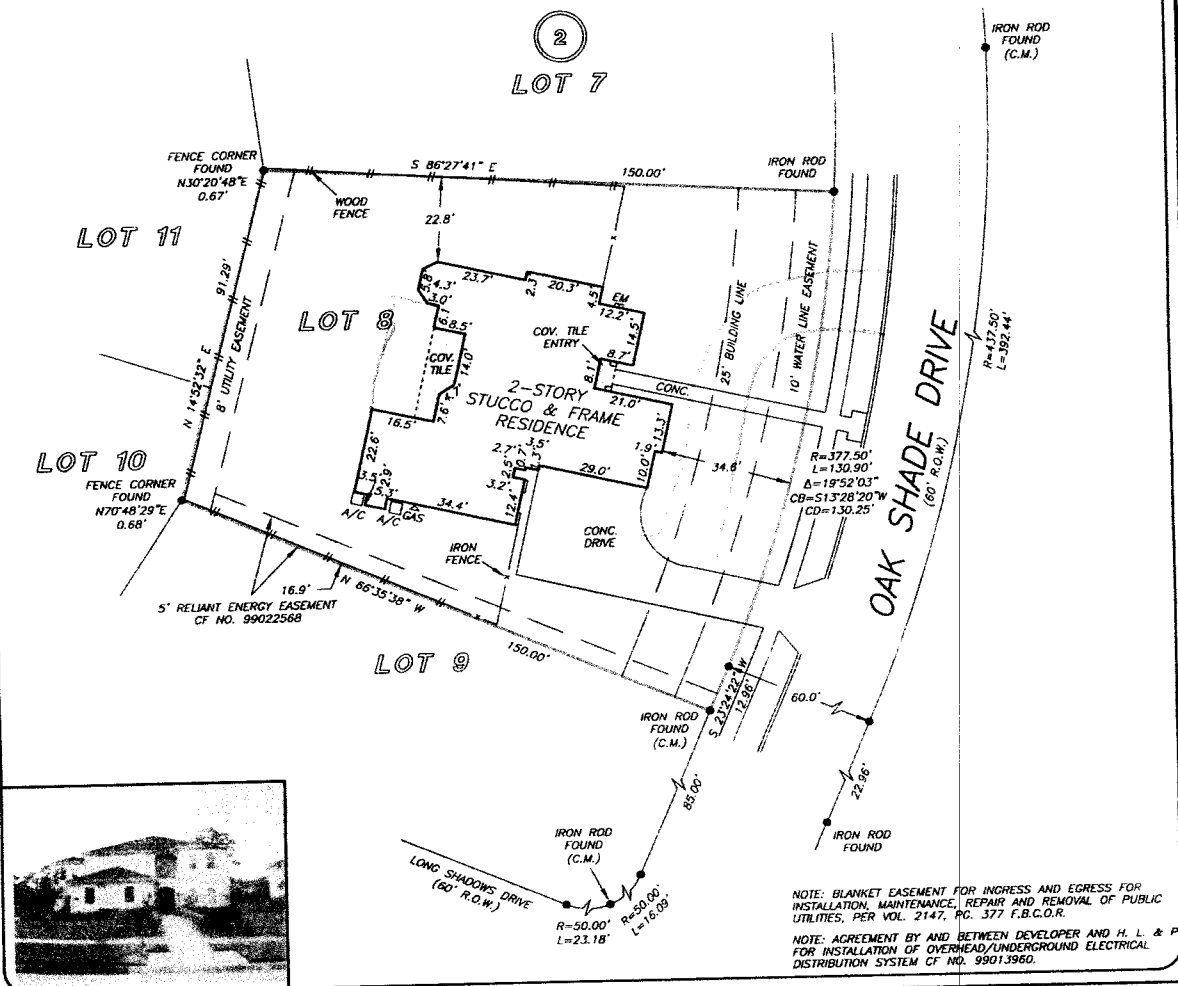
832-864-1200

#### NO EXCEPTIONS!

If you are requesting to install a pool or a deck you are required to submit a deposit of \$700.00 check or money order made payable to the Greatwood Community Association, which must accompany this application. Prior to approval, the Greatwood Community Association may insist upon a larger deposit at its discretion. The deposit is to cover damage to the common open space, landscape reserves or public right-of-ways maintained by the Greatwood Community Association. You will be responsible for any damages in excess of deposit. The money will not be deposited and will be returned to you upon completion of construction less deductions for damages within thirty (30) days from the date you notify Houston Community Management the job is complete. Whether you will access your back yard through Association property or your own property the \$700 deposit is absolutely required. Failure to attach the check or money order will result in a denial of the application.

SCALE: 1" = 40'

ACCORDING TO THE MAP OR PLAT THEREOF RECORDED  
IN SLIDE NOS. 1811/B & 1812/A OF THE PLAT RECORDS  
OF FORT BEND COUNTY, TEXAS



STATE OF TEXAS  
REGISTERED  
★  
TERRANCE MISH  
4981  
PROFESSIONAL  
LAND SURVEYOR



**CHARLENE HOLT**  
281-565-1212



PRECISION SURVEYORS, INC.

1-800-LANDSURVEY 281-496-1586  
1-800-526-3787 FAX 281-496-1867  
14925 MEMORIAL DRIVE SUITE B100 HOUSTON, TEXAS 77079





HOUSTON COMMUNITY  
MANAGEMENT SERVICES

17049 El Camino Real, Suite 100 • Houston, Texas 77058  
Phone 832-864-1200 • Fax 281-218-6973

July 22, 2010

Bruce J. & Jo A. Spitzengel  
1711 Oak Shade Drive  
Sugar Land, TX 77479

RE: Greatwood Community Association, Inc.  
1711 Oak Shade Drive

Dear Bruce J. & Jo A. Spitzengel:

Thank you for submitting a completed Home Improvement Application (HIA). The Architectural Control Committee has reviewed and conditionally approved your request for:

**Driveway - the Modification Committee has approved your request to add an additional driveway.  
Thank you.**

This approval is contingent upon the improvement meeting the specifications of your application including, but not limited to, materials, dimensions, location, color and any conditions stated above. Neither the Architectural Control Committee, the Board of Directors nor the Management Company warrants or guarantees the improvement. This approval is not a waiver of any other permits that may be required by a city, county, utility company, or other entity associated with the community or such improvements.

Depending on the nature of your improvement, a final inspection may be required by our office once the improvement is completed. If necessary, it will be noted above. If it is noted above, please call to schedule a convenient time to complete this phase of the approval process.

If you have questions or need additional information, feel free to give us a call.

Sincerely,

Jill Williams  
Houston Community Management Services





**LANDMARK  
HOMEBUILDERS**  
MAKE YOUR NEXT HOME A LANDMARK

July 26, 2010

To: Fort Bend County Engineering,  
Permit Dept.

From: Landmark Homebuilders, Inc.

Re: Traffic considerations - addition of circle driveway

To Whom It May Concern:

Landmark Homebuilders will have traffic cones and a flagman at all times during the pouring of concrete. Please call if you have any questions.

Thank you,

Charles A Jorgensen, President  
Landmark Homebuilders, Inc.  
4134 Bluebonnet Dr., Suite 110  
Stafford, TX 77477  
281-265-1400