

REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 26 day of OCTOBER, 2010, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of HURTADO CONSTRUCTION COMPANY

Job Location ROESNER ROAD

Dated 10/07/10 BOND NO 58S200157

Permit No. 83839

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

[Signature]
County Engineer

Presented to Commissioners Court and approved.

Recorded in Volume 10-26-10
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. 58S200157

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, Hurtado Construction Company whose address is 2115 Center St., Richmond, Tx 77469, Texas, hereinafter called the Principal, and First National 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 1001 4th Ave #1700, Seattle, WA 98154, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Frank Zebadeo, First National Insurance Company of America, 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 Nine Thousand Five Hundred & No/100-- Dollars (\$ 9,500.00) 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;

WYNDEHAVEN LAKE ESTATES

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 6th day of October, 20 10.

HURTADO CONSTRUCTION COMPANY
PRINCIPAL

BY 

FIRST NATIONAL INSURANCE COMPANY OF AMERICA
SURETY

BY Pamela Prokop/Attorney-in-Fact



POWER
OF ATTORNEY

First National Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 4255

KNOW ALL BY THESE PRESENTS:

That FIRST NATIONAL INSURANCE COMPANY OF AMERICA, a Washington corporation, does hereby appoint

*****DIANE HINES; PAMELA PROKOP; LARRY H. SENKEL; Houston, Texas*****

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or undertakings and other documents of a similar character issued by the company in the course of its business, and to bind FIRST NATIONAL INSURANCE COMPANY OF AMERICA thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, FIRST NATIONAL INSURANCE COMPANY OF AMERICA has executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of FIRST NATIONAL 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
FIRST NATIONAL 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 FIRST NATIONAL 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 this corporation, 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 6th day of October, 2010



Dexter R. Legg, Secretary

IMPORTANT NOTICE

TO OBTAIN INFORMATION OR MAKE A COMPLAINT:
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, TEXAS 78714-9104
FAX # (512) 475-1771

PREMIUM OR CLAIM DISPUTES:

SHOULD YOU HAVE A DISPUTE CONCERNING YOUR PREMIUM
OR ABOUT A CLAIM, YOU SHOULD CONTACT THE AGENT OR
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.

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. 58S200157

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. 58S200157
- Amount \$9,500.00
- 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)

10/07/2010
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. 524839
(County Use Only)

Applicant Name HURTADO CONSTRUCTION COMPANY
Applicant Mailing Address 2115 CENTER ST.
City RICHMOND State TX. Zip 77469
Work Phone 281 341 5673 Daytime Phone 281 802 8717
Property Owner's Name HARRIS FORT BEND COUNTY MUD 1 Phone _____
Property Owner's Mailing Address C/O VAN DR WILK & VOGLER
2925 BRIAR PARK, STE 275
City HOUSTON State TX. Zip 77042

LOCATION OF PROPERTY

Subdivision WYNDEHAVEN LAKE ESTATES Sec _____ Lot _____ Blk _____
Physical Address 450' NE OF SADDLEBORN TRAIL ON EAST SIDE
OF TROESUKR RD.
(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 _____
(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

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)

- 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

BENJAMIN C. VASQUEZ
Printed Name

10/06/10
Date

USE ONLY IF NECESSARY AS A SITE PLAN

SADDLEHORSE
TRAIL

STREET NAME

ROBINSON RD

CULVERT

CULVERT

120'

450'

DISTANCE FROM
INTERSECTION

LENGTH OF
CULVERT AT R.D.W

STREET NAME

SHADE THE POINT
TO INDICATE NORTH

