

# 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 W.C. BELL, INC.

Job Location KATY-GASTON

Dated 10/07/10 BOND NO 58666272 Permit No. 83840  
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 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

By

*N/A*  
Drainage District Engineer/Manager

Presented to Commissioners Court and approved.

Recorded in Volume 10-26-10  
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 58666272

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, W.C. Bell, Inc. whose  
address is 131 South Trade Pkwy, Conroe, TX 77385, Texas, hereinafter called the Principal,  
and Western Surety Company, a Corporation existing under and by virtue of  
the laws of the State of Texas and authorized to do an indemnifying business in the State of  
Texas, and whose principal office is located at 5151 San Felipe, Ste 1800, Houston, TX 77056, whose  
officer residing in the State of Texas, authorized to accept service in all suits and actions brought  
within said State is Michael Shambaugh and whose address is 4004 Beltline Rd., #260, Addison, TX 75001-4381,  
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 & 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 5th day of October, 20 10.

W.C. Bell, Inc.

PRINCIPAL

  
BY William C. Bell, President

Western Surety Company

SURETY

  
BY Henry D. Childers, Attorney-in-Fact

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Henry D Childers, Gary F Banks, Michael W Turner, J R Mitchell, Ken Kapelka, William Lewis Kottwitz Jr, James Byron Kottwitz, Individually**

of Houston, TX, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 13th day of May, 2008.



WESTERN SURETY COMPANY

*Paul T. Bruflat*

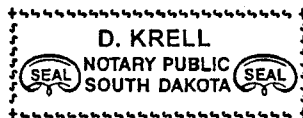
Paul T. Bruflat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 13th day of May, 2008, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



*D. Krell*

D. Krell, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 5th day of October, 2010.



WESTERN SURETY COMPANY

*L. Nelson*

L. Nelson, Assistant Secretary

**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

**State of Texas**

**Claim Notice Endorsement**

To be attached to and form a part of Bond No. 58666272

In accordance with Section 2253.021(f) of the Texas Government Code and Section 53.202(6) of the Texas Property Code any notice of claim to the named surety under this bond(s) should be sent to:

**CNA Surety**  
**333 South Wabash**  
**Chicago, IL 60604**

**Telephone: (312) 822-5000**



**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. 83840  
(County Use Only)

Applicant Name W.C. BELL, INC.  
Applicant Mailing Address 131 SOUTH TRADE CENTER PKWY  
City CONROE State TX. Zip 77385  
Work Phone 936-273-4440 Daytime Phone 936-273-4440  
Property Owner's Name JLC WESTPARK, LLC Phone 713-914-9200  
Property Owner's Mailing Address 9219 LATHY FREEWAY STE # 120  
City HOUSTON State TX. Zip 77024

**LOCATION OF PROPERTY**

Subdivision WESTPARK MEADOWS Sec \_\_\_\_\_ Lot \_\_\_\_\_ Blk \_\_\_\_\_  
Physical Address 23600 F.M. 1093

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

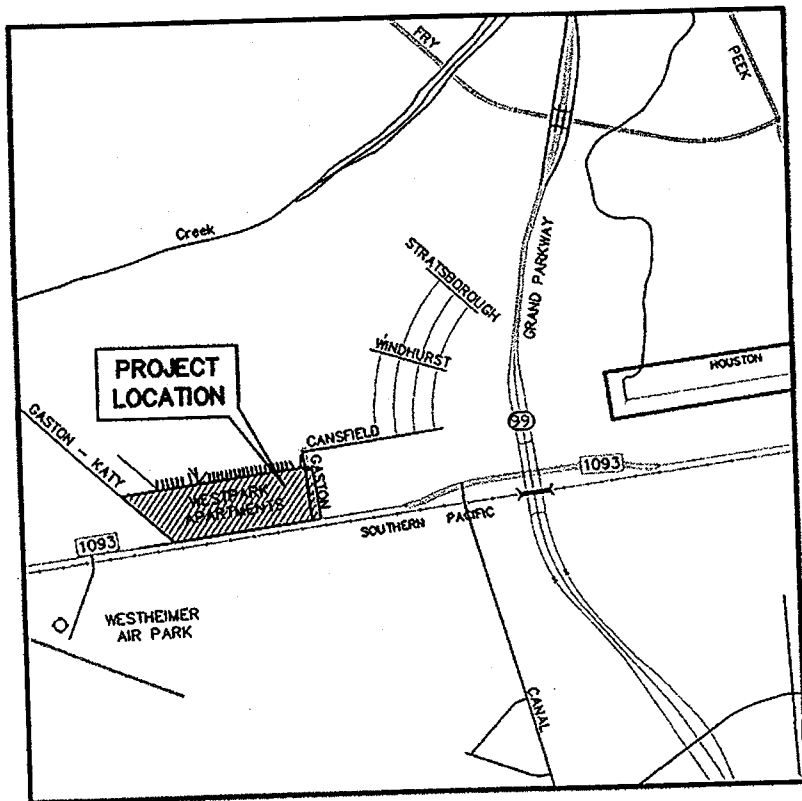
**Does project comply with Fort Bend County Lighting Regulation** Yes ( ) No ( )  
(See- Fort Bend County Outdoor Lighting Regulation on website [www.co-fort-bend.tx.us](http://www.co-fort-bend.tx.us) )

- 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.

Signature of Applicant, Agent or Attorney

Date

Printed Name



## VICINITY MAP

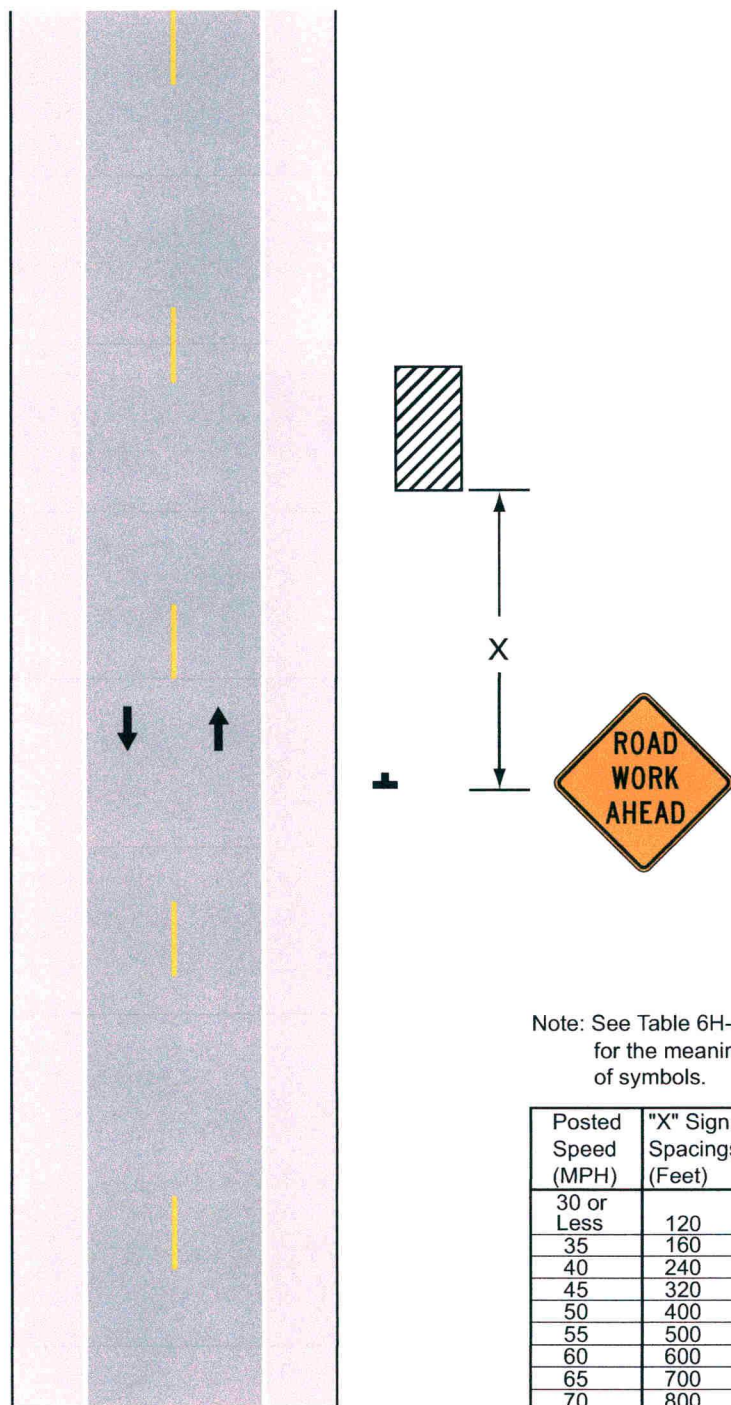
SCALE: 1" = 1/2 MI.

KEY MAP: 525-E






















ZIP CODE: 77494





**Figure 6H-1. Work Beyond the Shoulder (TA-1)****Typical Application 1**

**Table 6H-2. Meaning of Symbols on Typical Application Diagrams**

	Arrow panel
	Arrow panel support or trailer (shown facing down)
	Changeable message sign or support trailer
	Channelizing device
	Crash Cushion
	Direction of temporary traffic detour
	Direction of traffic
	Flagger
	High level warning device (Flag tree)
	Luminaire
	Pavement markings that should be removed for a long term project
	Sign (shown facing left)
	Surveyor
	Temporary barrier
	Temporary barrier with warning lights
	Traffic or Pedestrian signal
	Truck mounted attenuator
	Type III Barricade
	Warning lights
	Work space
	Work vehicle