

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 LANDMARK INDUSTRIES

Job Location SOUTH FIRETHORNE ROAD

Dated 10/11/10 BOND NO SUR6009359 Permit No. 83841

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 Statues. 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. SUR6009359

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, Landmark Industries whose address is 11111 Wilcrest Green # 100 Houston, Texas, hereinafter called the Principal, and State Automobile Mutual Insurance Company, a Corporation existing under and by virtue of the laws of the State of OH and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 518 East Broad Street Columbus OH, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is and whose address is 2110A Boca Raton Dr Ste 200 Austin TX 78747-1671, 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 Ten thousand Dollars (\$ 10,000) 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 27 day of September, 2010

Landmark Industries

PRINCIPAL

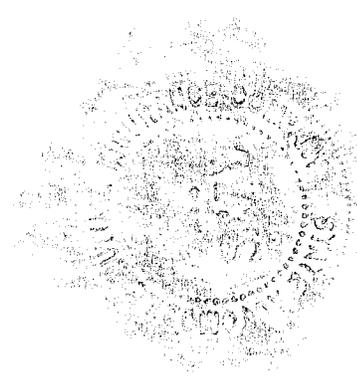
BY

State Automobile Mutual Insurance Company

SURETY

BY

Barbara Kraus Applebee



STATE AUTOMOBILE MUTUAL INSURANCE COMPANY
COLUMBUS, OHIO

CERTIFIED COPY

THIS POWER OF ATTORNEY IS SPECIFIC TO:

Bond No. SUR6009359
Bond Amount. 10,000.00
Bond Date: 09/27/2010
Bond Description: Fort Bend County, Texas

POWER OF ATTORNEY

Know All Men By These Presents, That STATE AUTOMOBILE MUTUAL INSURANCE COMPANY, a corporation, duly organized and existing under the laws of the State of Ohio, and having its principal offices in the City of Columbus, Ohio, does hereby by these presents make, constitute and appoint Barbara Kraus Applebee

of Austin and State of TX
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver the bond described above, subject to the limitation that the penalty of the bond shall not exceed Ten thousand (\$ 10,000.00)

and to bind the Company thereby as fully and to the same extent as if the bond was signed by the duly authorized officers of the Company, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. This Power of Attorney is made and executed pursuant to and by authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 8th day of May 1970:

BE IT RESOLVED, by the Board of Directors of State Automobile Mutual Insurance Company, that any two (2) of the following officers of the Company, viz: the President, any Vice President, any Assistant Vice President, Secretary, any Assistant Secretary, Treasurer, and any assistant Treasurer, shall have the power and authority to appoint agents and attorneys-in-fact and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof; and any such bond, undertaking, recognizance, consent of surety or written obligation in the nature thereof shall be valid and binding upon the Company when duly executed and sealed, if a seal is required, by such attorney-in-fact or agent pursuant to and within the limits of the authority granted by his power of attorney.

BE IT FURTHER RESOLVED, that any two (2) officers may remove any such Attorney-in-Fact or Agent and revoke the power and authority given to him.

BE IT FURTHER RESOLVED, that any two (2) of the following officers of the Company, viz: the President any Vice President any Assistant Vice President, Secretary, any Assistant Secretary, Treasurer, and any assistant Treasurer, shall have the power and authority to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof; which the business of the Company may require, and any such bond, undertaking recognizance consent of surety or written obligation in the nature thereof "I be valid and binding upon the Company when duly executed and sealed, if a seal is required.

This Power of Attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of State Automobile Mutual Insurance Company at a meeting called and held on the 8th day of May, 1970:

BE IT RESOLVED, that the signature of the President, any Vice President, any Assistant Vice President, Secretary, any Assistant Secretary, Treasurer, and any assistant Treasurer and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance, consent of surety or written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

In Witness Whereof, the Company has caused these presents to be signed by its proper officers and its corporate seal

to be hereunto affixed this 1st day of April 2010



STATE AUTOMOBILE MUTUAL INSURANCE COMPANY

By: [Signature]
Paul E. Nordman, Vice President/Director of Business Insurance

By: [Signature]
Larry D. Williams, Vice President/Director of Middle Market Operations

STATE OF OHIO }
COUNTY OF FRANKLIN, } ss:

On this 1st day of April, A.D., 2010, before me personally came

Paul E. Nordman and Larry D. Williams

, to me known, who being

duly sworn, did depose and say that they are Assistant Vice Presidents

respectively of STATE AUTOMOBILE MUTUAL INSURANCE COMPANY, the Company described in and which executed the above instrument; that they know the seal of said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company and that they signed their names, respectively, by like order.



Notary Public



HAL D. THOMPSON

Attorney At Law

Notary Public, State of Ohio

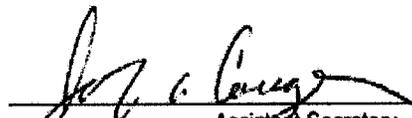
My commission has no expiration date

Sec.147.03 R.C.

CERTIFICATE

1, the undersigned, Assistant Secretary of State Automobile Mutual Insurance Company, an Ohio Corporation, do hereby certify that the foregoing power of attorney is 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.

Signed and sealed at Columbus, Ohio, this 05 day of October 2010


Assistant Secretary
John A. Couger

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. 003841

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.

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

- (2) Bond:
- District Attorney, approval when applicable.
 - Perpetual bond currently posted.
No. _____
Amount _____
 - Performance bond submitted.
No. SUR6009359
Amount \$10,000.00
 - 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)

10/11/2010

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. 83841
 (County Use Only)

Applicant Name LANDMARK INDUSTRIES
 Applicant Mailing Address 1111 WILCREST GREEN, SUITE 100
 City HOUSTON State TEXAS Zip 77042
 Work Phone 713-789-0310 Daytime Phone 713-789-0310
 Property Owner's Name LANDMARK INDUSTRIES Phone 713-789-0310
 Property Owner's Mailing Address 1111 WILCREST GREEN, SUITE 100
 City HOUSTON State TEXAS Zip 77042

LOCATION OF PROPERTY

Subdivision FIRETHORNE SEC. 3 Sec _____ Lot _____ Blk _____
 Physical Address 2620 FM1463 ROAD, KATY, TX 77494

(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 2
 (Sec - 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 ()
 (Sec- 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.*

Kent Brotherton
 Signature of Applicant, Agent or Attorney
KENT BROTHERTON
 Printed Name

Sept. 27, 2010
 Date

THIS DRAWING IS THE PROPERTY OF TIMEWISE ENGINEERING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TIMEWISE ENGINEERING, INC.

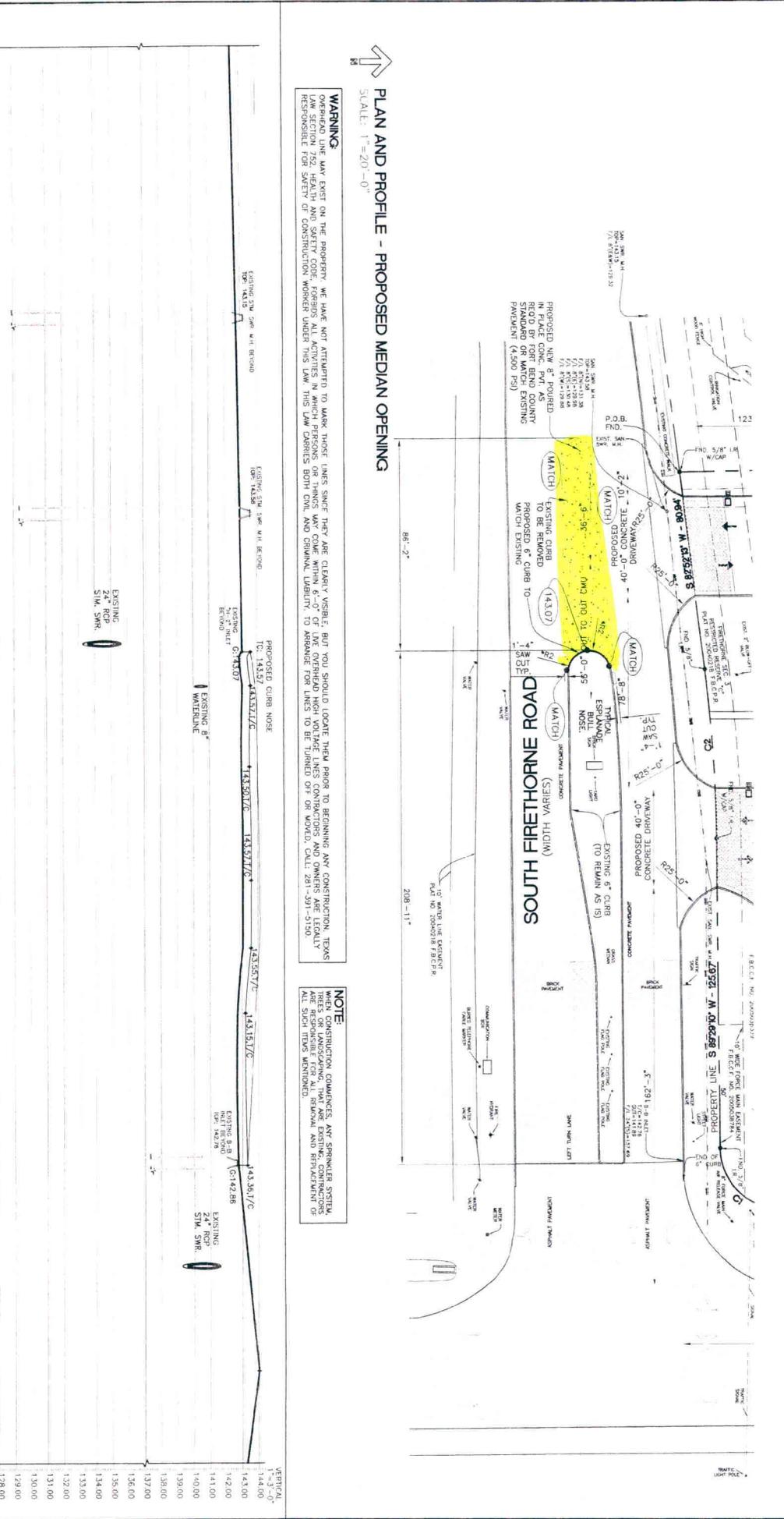
STRUCTURAL ENGINEERING
14022 OVERBROOK LN.
HOUSTON, TX 77077
281-457-8119
281-457-8120
NO.12552



**PROPOSED
MEDIAN OPENING**

time wise
2620 FM 1463 ROAD at SOUTH FIRETHORNE
KATY, TEXAS 77494
A PROJECT OF
LANDMARK INDUSTRIES

PROFESSIONAL SEAL
DATE: 09-28-10
DRAWINGS ISSUED FOR:
09-28-10 OWNERS APPROVAL
07-26-10 PERMITS
07-26-10 FINAL REVIEW



PLAN AND PROFILE - PROPOSED MEDIAN OPENING
SCALE: 1"=20'-0"

WARNING:
THE USER MAY EXIST ON THE PROPERTY. WE HAVE NOT ATTEMPTED TO MARK THOSE LINES SINCE THEY ARE CLEARLY VISIBLE, BUT YOU SHOULD LOCATE THEM PRIOR TO BEGINNING ANY CONSTRUCTION. TEXAS LAW SECTION 752, HEALTH AND SAFETY CODE, FORBIDS ANY ACTIVITIES IN WHICH PERSONS OR THINGS MAY COME WITHIN 6'-0" OF LINE OVERHEAD HIGH VOLTAGE LINES. CONTRACTORS AND OWNERS ARE LEGALLY RESPONSIBLE FOR SAFETY OF CONSTRUCTION WORKERS UNDER THIS LAW. THIS LAW APPLIES TO BOTH CIVIL AND CRIMINAL LIABILITY. TO ARRANGE FOR LINES TO BE TURNED OFF OR MOVED, CALL 281-591-5150.

NOTE:
WHEN CONSTRUCTION COMMENCES, ANY SPRINKLER SYSTEM, AND/OR OTHER MECHANICAL SYSTEMS, SHALL BE PROTECTED BY A CONSTRUCTION PROTECTION SYSTEM. CONTRACTORS AND OWNERS ARE LEGALLY RESPONSIBLE FOR ALL REMOVAL AND REPAIRMENT OF ALL SUCH ITEMS MENTIONED.

FORT BEND COUNTY NOTES:

- ESPAÑOLE NOTES AT THE CROSSINGS ARE TO BE BUILT TO THE FORT BEND COUNTY STANDARD. MARKING DETAIL AND TO BE CONFORMED TO THE FORT BEND COUNTY STANDARD. THE FORT BEND COUNTY STANDARD IS AVAILABLE AT THE FORT BEND COUNTY ENGINEERING DIVISION.
- THE LOCATION OF EXISTING TREES, LANDSCAPING, SPRINKLER SYSTEMS, WATER METERS, THE PROPOSED MEDIAN OPENING, AND/OR OTHER MECHANICAL SYSTEMS SHALL BE IDENTIFIED AND MARKED PRIOR TO CONSTRUCTION. THE FORT BEND COUNTY ENGINEERING DIVISION SHALL BE NOTIFIED OF ANY CHANGES TO THE LOCATION OF EXISTING TREES, LANDSCAPING, SPRINKLER SYSTEMS, WATER METERS, THE PROPOSED MEDIAN OPENING, AND/OR OTHER MECHANICAL SYSTEMS PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE PROTECTION TO ALL EXISTING UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION. THE FORT BEND COUNTY ENGINEERING DIVISION SHALL BE NOTIFIED OF ANY CHANGES TO THE LOCATION OF EXISTING UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION.
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CONTRACTORS NOTES:

- ON SITE ON PROPOSED CONCRETE LEFT TURN SLOTS IS TO BE A MINIMUM OF 1/2" REBAR WITH 6" COVER ON EACH SIDE.
- PROPOSED CONCRETE SHALL BE PLACED AND FINISHED TO WITHIN ONE (1) FOOT OF SURFACE.
- THE CONTRACTOR SHALL NOTIFY THE FORT BEND COUNTY ENGINEERING DIVISION (ED) PRIOR TO THE START OF CONSTRUCTION FOR APPROVAL OF THE PROPOSED CONSTRUCTION PLAN AND PROFILE. THE ED SHALL BE NOTIFIED OF ANY CHANGES TO THE PROPOSED CONSTRUCTION PLAN AND PROFILE PRIOR TO CONSTRUCTION.
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PROJECT NO. TC-3
DATE: 09-28-10
DRAWINGS ISSUED FOR:
09-28-10 OWNERS APPROVAL
07-26-10 PERMITS
07-26-10 FINAL REVIEW

SCOPE OF THE DOCUMENT
TRAFFIC CONTROL, PROPOSED MEDIAN OPENING PLAN AND PROFILE S. FIRETHORNE ROAD

REVISIONS

NO.	DATE	DESCRIPTION
1		

ELI W. OGDEN, P.E.
DATE: 09-28-10

TC-3 5/7

