

**REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT**

17V

On this 23 day of OCTOBER, 2012, Commissioners Court came on to be heard and reviewed the accompanying notice of FORT BEND COUNTY MUD NO. 194, c/o COSTELLO, INC./ DURWOOD GREENE CONSTRUCTION CO. Job Location GRAND PARKWAY [ HIGHWAY 99 ]

Dated 10/08/12 Bond No. 8229-23-54, Permit No. 84224 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 Statues. Upon Motion of Commissioner Meyers, seconded by Commissioner Patterson, 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 Louis L. Hood  
County Engineer Assistant

By \_\_\_\_\_  
Drainage District Engineer/Manager

Presented to Commissioners Court and approved.  
Recorded in Volume 10-23-12  
Minutes of Commissioners Court.

Clerk of Commissioners Court  
By Sherry Jim  
Deputy

**SECTION 00605**

**Bond No. 8229-23-54**

**PERFORMANCE BOND**

STATE OF TEXAS

Contract Date July 13, 2012

COUNTY OF Fort Bend

Date Bond Executed July 13, 2012

PRINCIPAL DURWOOD GREENE CONSTRUCTION CO.

SURETY FEDERAL INSURANCE COMPANY

OWNER FORT BEND COUNTY M.U.D. NO. 194

PENAL SUM OF BOND (in words and figures) Two Million Five Hundred Sixty One Thousand One Hundred Seventy One Dollars and Five Cents (\$2,561,171.05), being 100 percent of the Contract Price.

CONTRACT for SH 99 – GRAND PARKWAY ACCESS ROAD within FORT BEND COUNTY M.U.D. No. 194, FORT BEND County, Texas.

KNOW ALL PERSONS BY THESE PRESENTS, that we, Principal and Surety above named, are held and firmly bound unto Owner, its successors and assigns, in the penal sum of the amount stated above, for the payment of which sum well and truly to be made, we bind ourselves and our respective heirs, executors, administrators, officers, directors, shareholders, partners, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal entered into that certain Contract with Owner, dated the same date as this bond, which Contract is expressly incorporated herein for all purposes.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH, that if Principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of the Contract during the original term of the Contract and any extensions thereof that may be granted by Owner, with or without notice to Surety, and during the life of any guaranty or warranty required under the Contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of the Contract that may hereafter be made, notice of which modifications to Surety being hereby waived, then this obligation to be void; otherwise to remain in full force and effect.

Should the Principal fail to faithfully and strictly perform the Contract in all its terms, including but not limited to the indemnifications thereunder, the Surety shall be liable for all damages, losses, expenses and liabilities that the Owner may suffer in consequence thereof. Surety understands and agrees that the provision in the Contract that Owner will retain certain amounts due Principal until the expiration of thirty days from the acceptance of the Work is intended for the Owner's benefit, and Owner has the right to pay or withhold such retained amounts or any other amount owing under the Contract to secure completion of the Work without changing or affecting the liability of the Surety hereon to any degree. The Surety further understands and agrees that the provision in the Contract that Owner may itself cause completion of the Work subsequent to an event of default is for Owner's benefit, and such provision shall not change or affect the liability of Surety hereon to any degree.

This bond is given in compliance with the provisions of Chapter 2253 of the Texas Government Code, as amended, which is incorporated herein by this reference. However, all of the express provisions contained herein are applicable whether or not within the scope of said statute.

The bound parties have executed this instrument pursuant to authority of their respective governing body, to be effective on the same date of the Contract.

DURWOOD GREENE CONSTRUCTION CO.  
PRINCIPAL

By Jerry L. Berry  
Name **Jerry L. Berry**  
Title **Vice President**  
Address **Durwood Greene Construction Co.**  
**P. O. Box 1338**  
**Stafford, TX 77497-1338**

ATTEST

By [Signature]  
Name **Richard Townsend**  
Title **Secretary**

FEDERAL INSURANCE COMPANY  
SURETY

(SEAL)  
By: [Signature]  
Name: **Marc W. Boots**  
Title: **Attorney-in-Fact**

Physical Address:  
15 Mountain View Road  
Warren, New Jersey 07059

Mailing Address  
15 Mountain View Road  
Warren, New Jersey 07059

Telephone (908) 903-3493

ATTEST: By: [Signature]  
Name: **Heather Noles**  
Title: **Witness**

**LOCAL RECORDING AGENT PERSONAL IDENTIFICATION NUMBER:**  
**918527**

The name and address of the Resident Agent of Surety is:  
McGriff, Seibels & Williams of Texas, Inc., Attn: Marc W. Boots, 818 Town & Country Blvd., Suite 500, Houston, Texas 77024, (713) 877-8975

Surety must attach its original power of attorney to this BOND.

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, Richard Townsend, certify that I am the secretary of the corporation named as Principal in the Bond; that Jerry L. Berry, who signed the bond on behalf of Principal, was then Vice President of the corporation; that I know his or her signature, and his or her signature is genuine; and that the Bond was duly signed for and on behalf of the corporation by authority of its governing body.

[Signature]

(Corporate

Seal)

# 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. 084224

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. 8229-23-54  
Amount \$2,561,171.05
- \_\_\_\_\_ 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)

10/08/2012  
\_\_\_\_\_  
Date



“DEVELOPMENT PERMIT APPLICATION”

Permit Number 84224

Applicant Requests  Temporary Power  Permanent Power  N/A

APPLICANT INFORMATION {Please print or type.}

Applicant Name: Fort Bend County Municipal Utility District No. 194, c/o Costello, Inc.

Applicant Mailing Address: 9990 Richmond Ave., Suite 450N City Houston State TX Zip 77042

Daytime Phone 713-783-7788 Fax 713-783-3580 Other \_\_\_\_\_

Property Owner /Business Name See Attachment

Property Owner's Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Property Tax Account Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

LOCATION OF PROPERTY

Street Address: Fort Bend Grand Parkway Toll Road(SH99) Northbound Access Road City \_\_\_\_\_ Zip Code \_\_\_\_\_

Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Reserve \_\_\_\_\_

Survey Name \_\_\_\_\_ Abstract # \_\_\_\_\_ Acreage \_\_\_\_\_ Precinct: \_\_\_\_\_

RESIDENTIAL CONSTRUCTION INFORMATION

New  Existing  N/A

- Single Family Dwelling  Manufactured Home  Expansion, Repair, Remodel
- Residential Garage  Barn/Agriculture with no Living Space  Accessory Building (No Living)
- Alteration of Natural Waterway or Drainage Course  Placement of Fill  Other

Describe use: \_\_\_\_\_

COMMERCIAL CONSTRUCTION INFORMATION

New  Existing  N/A

- Professional or Mercantile Building  Food Store/Restaurant/Kitchen  Industrial Building
- Lease Space Build Out  Multi-Family Bldg # \_\_\_\_\_ Units \_\_\_\_\_  School, Daycare
- Group Home, Foster Home  Mobile Home Park, # of Units \_\_\_\_\_  RV Park, # Units \_\_\_\_\_  Other

Describe use: Construct the NB Access Road for the FBGPTRA between W. Bellfort and Peek Road

SEWAGE AND WATER SYSTEM

N/A Explain: \_\_\_\_\_

- Utility District Name (MUD) \_\_\_\_\_  Private Water Well (No Living Space) \_\_\_\_\_
- Public Community Water Well -  Proposed Septic  Existing Septic, Year Installed \_\_\_\_\_
- Private Water Well (Living Space) -  Proposed Septic  Existing Septic, Year Installed \_\_\_\_\_

DRIVEWAY INFORMATION

Commercial  Residential  N/A

- Existing Driveway  New Driveway  Add On  Private Road Number of Drives \_\_\_\_\_

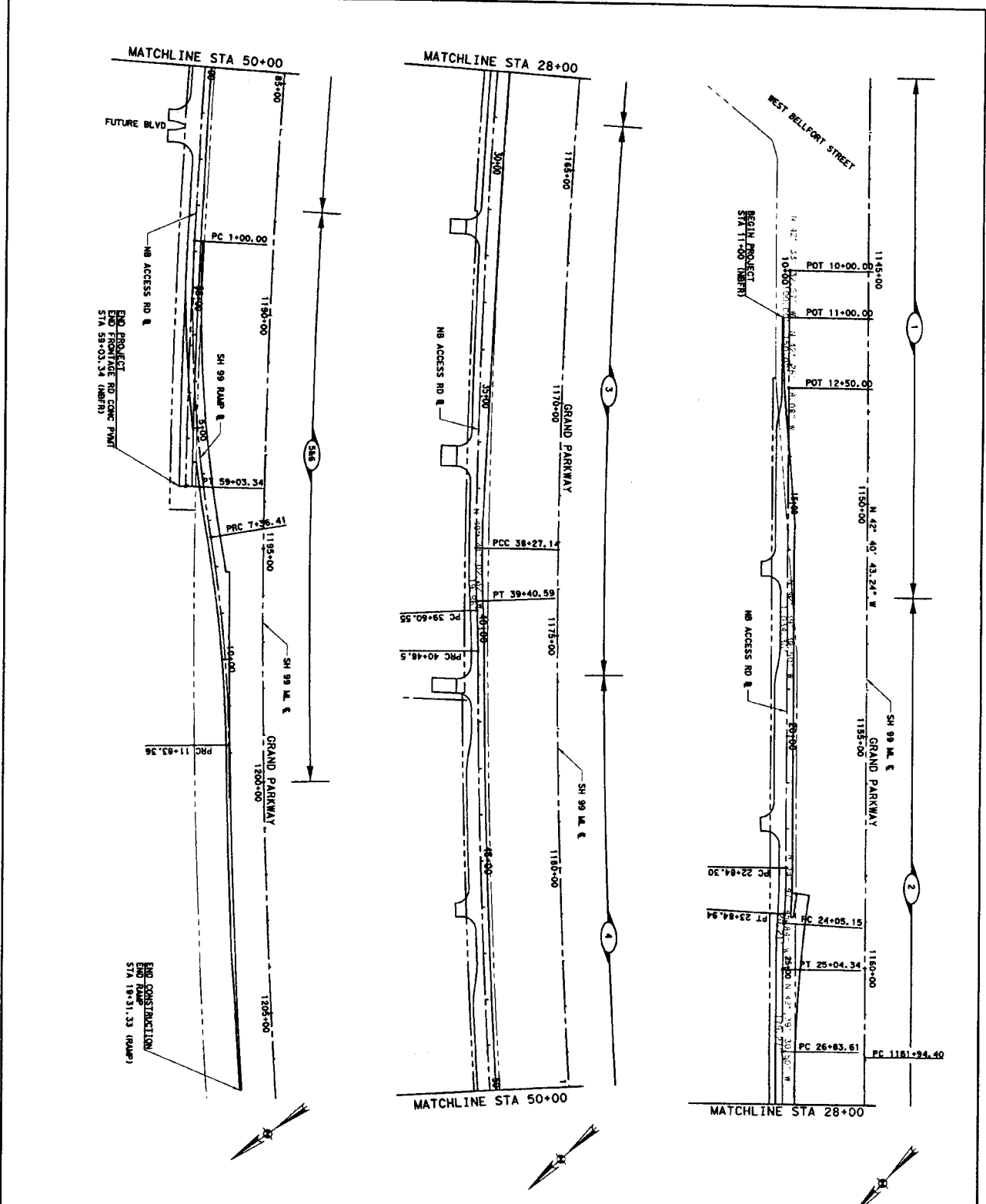
Length of Property Frontage: \_\_\_\_\_ ft.

I acknowledge that other permits may be required by other County Departments; Environmental Health (281-342-7469); Fire Marshal (281-238-1500); Road & Bridge (281-342-4513); Engineering (281-633-7500).

Initial \_\_\_\_\_

I, Delecha P. Shepherd, the undersigned have carefully reviewed this application and my answers to all questions. To the best of my knowledge, the answers are all true and correct. The owner of this property/business is responsible for adhering to all ordinances applicable to that operation. Failure to obtain required permits will result in legal action against the property/business owner as allowed by law.

SIGNATURE OF Applicant/ Owners Agent or Attorney Delecha P. Shepherd Date 9/13/11  
FBCA194 District Engineer



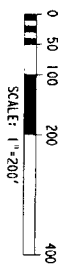
**Fort Bend County**  
**MUD 194**

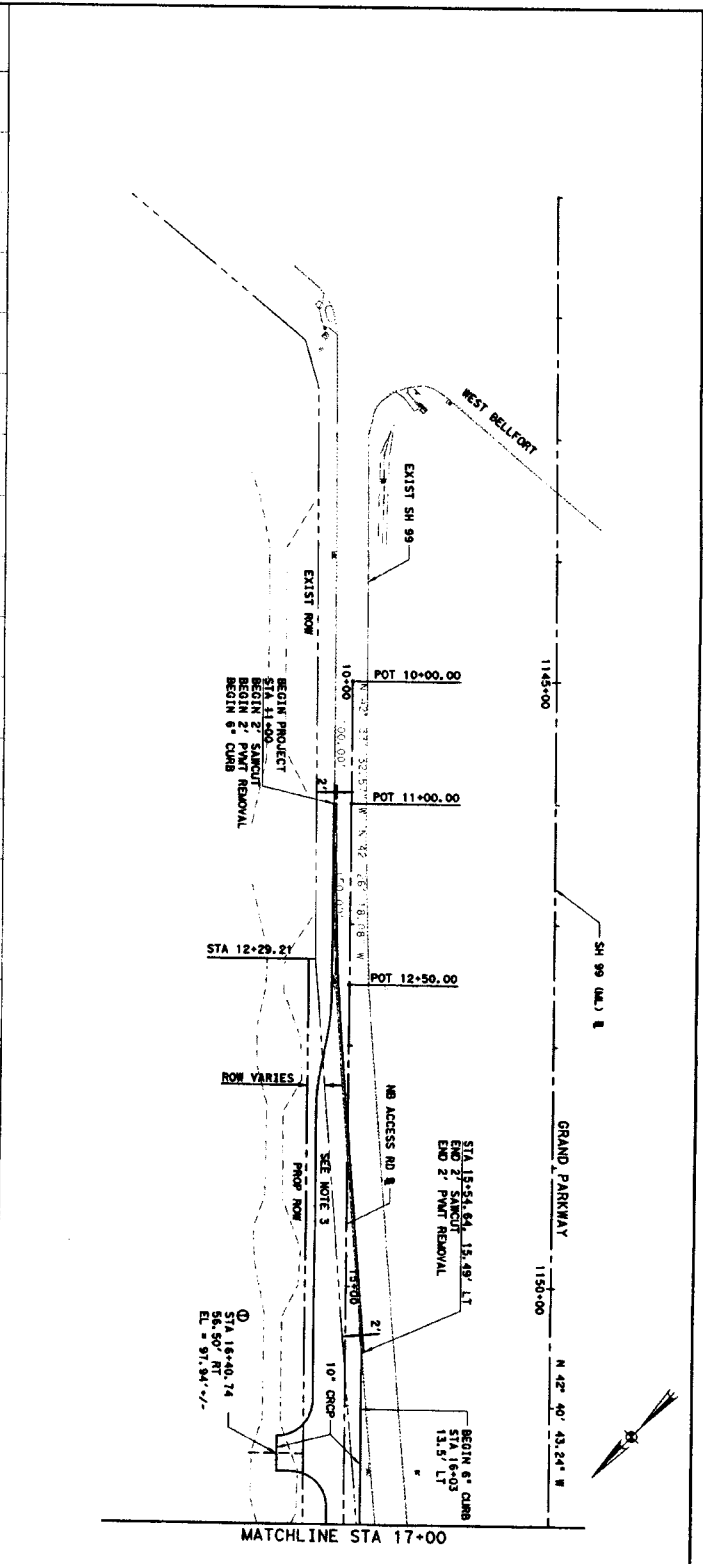
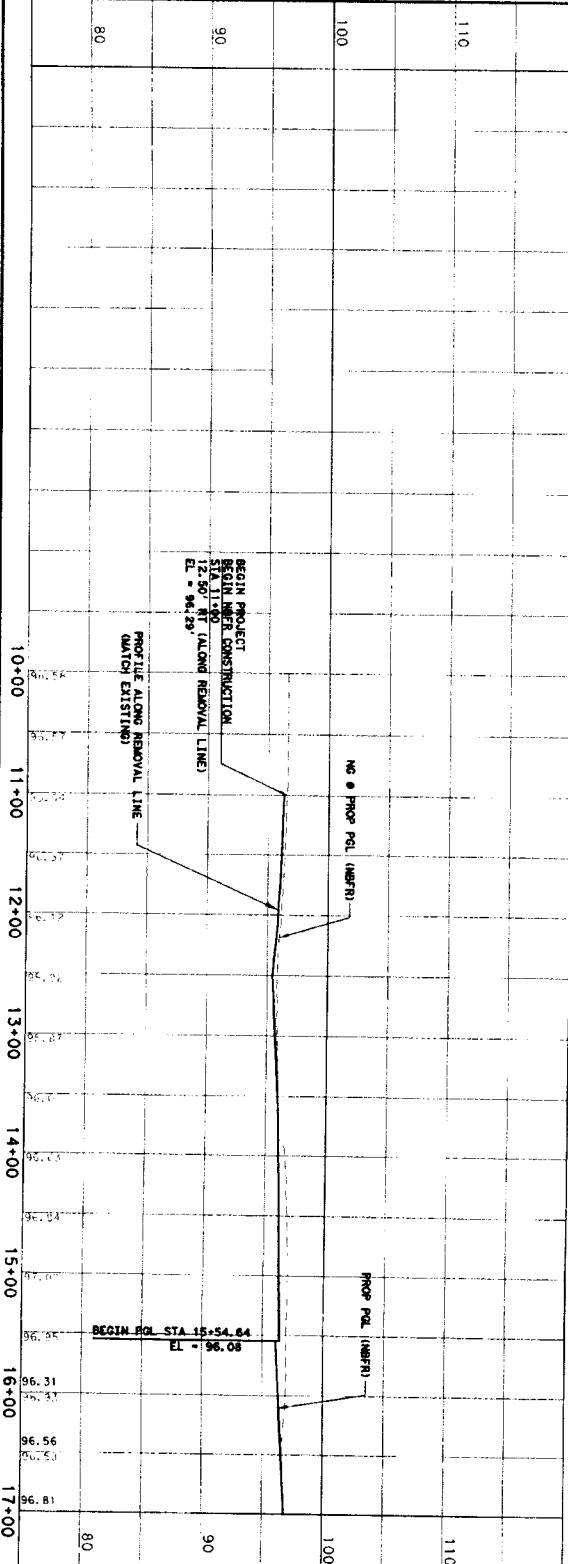
Stephen G. Galt  
 Professional Engineer  
 No. 58862  
 State of Texas

Civil  
 Castle, Inc.  
 1700 West Loop West, Suite 200  
 Houston, Texas 77056  
 Phone: 713.865.1200  
 Fax: 713.865.1201

NB ACCESS ROAD ALONG  
 GRAND PARKWAY  
 PROJECT LAYOUT

SHEET  
 NO.  
**3**





- NOTES:  
 1. REFER TO STORM SEWER PLAN AND PROFILE SHEET FOR LOCATION OF INLETS.  
 2. DETAIL TO STANDARD DEPRESSION DETAILS.  
 3. GROSS SLOPE VARIES FROM STA 12+90 TO STA 15+90. SEE DETAIL SHEET.

Fort Bend County  
 MUD 194

*Ci*  
 CONSULTING, INC.  
 PROFESSIONAL ENGINEERING  
 10000 Katy Road, Suite 100  
 Houston, Texas 77058  
 License No. 12882

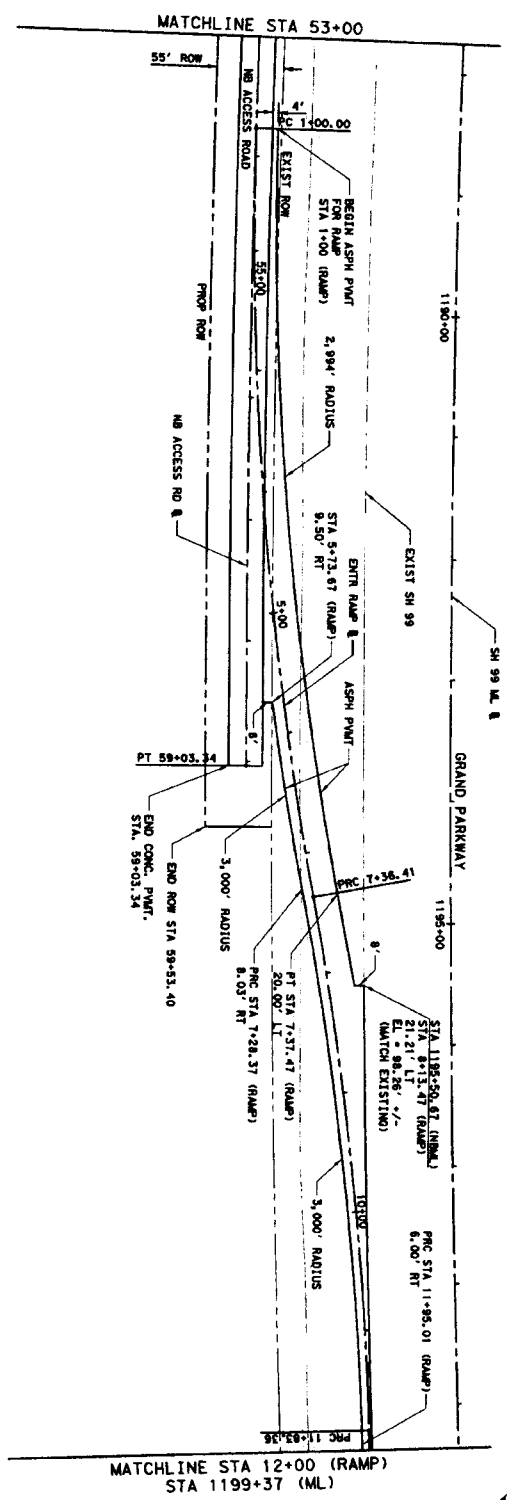
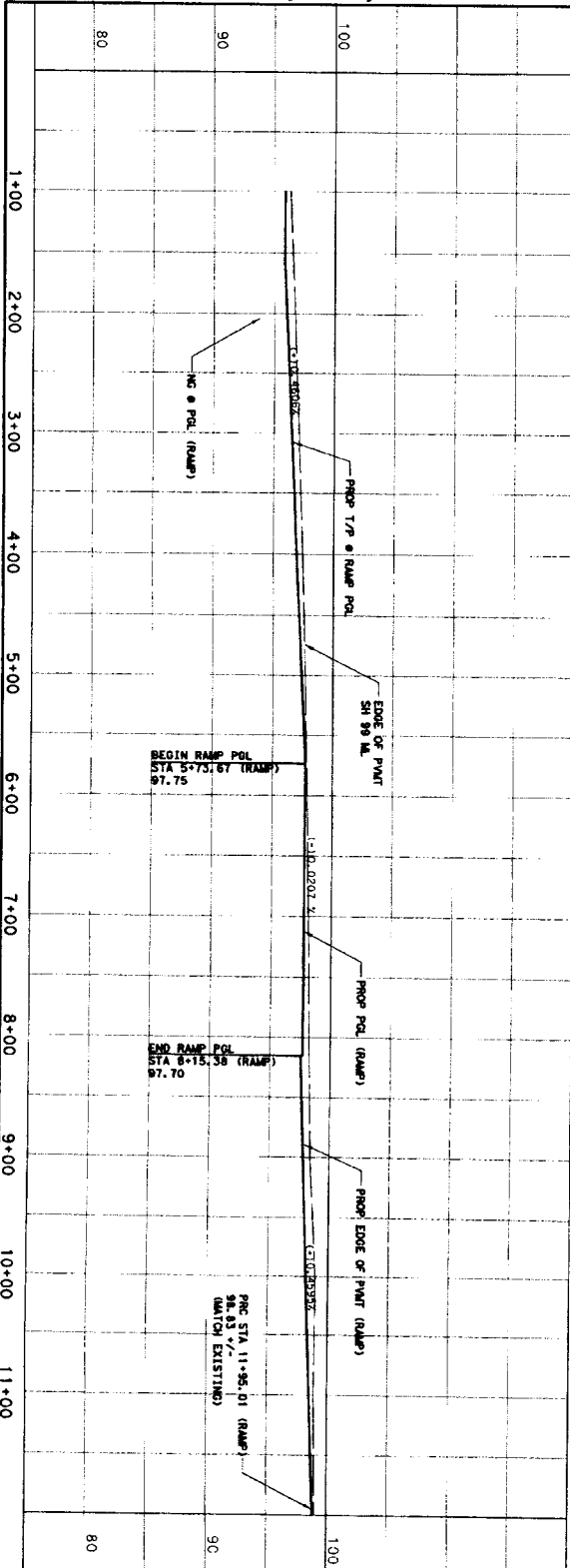


NB ACCESS ROAD ALONG  
 GRAND PARKWAY  
 PLAN & PROFILE - NBFR  
 BEGIN PROJECT - STA 17+00

SHEET NO 1 OF 7  
 HORIZ SCALE: 1"=100'  
 VERT SCALE: 1"=10'

SHEET NO 44

*5-29-2012*



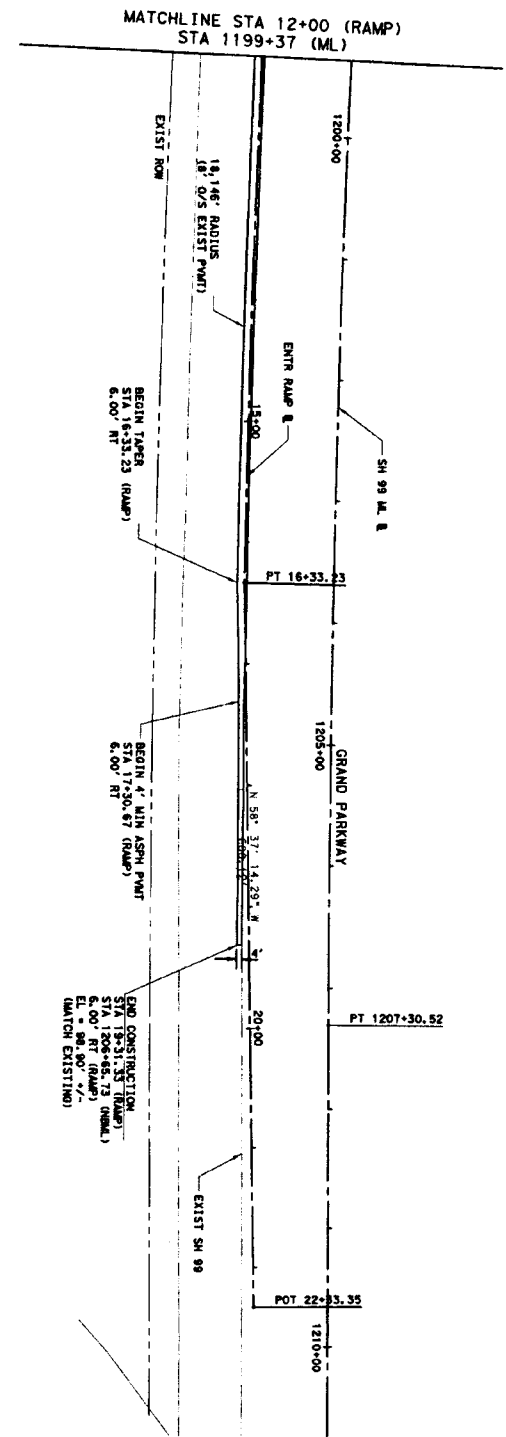
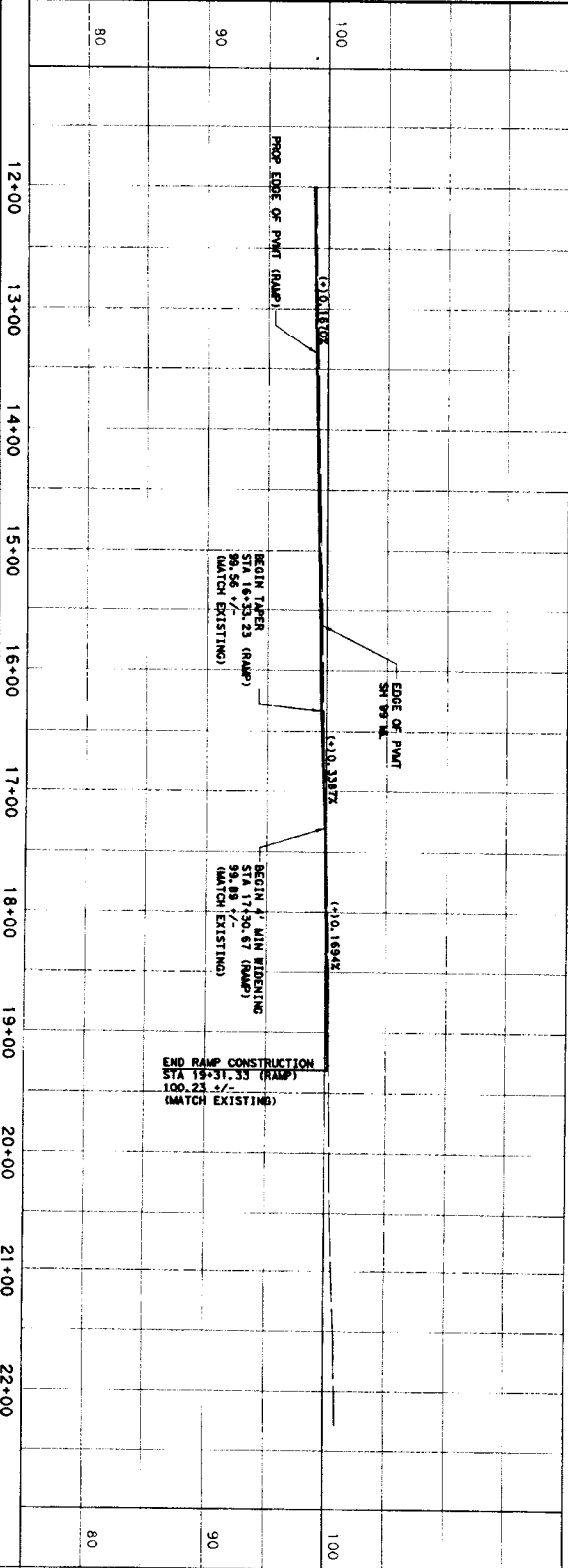
- NOTES  
 1. REFER TO STORM SEWER PLAN AND SPOULE SHEET FOR LOCATION OF INLETS.  
 2. REFER TO STANDARD DETAIL 00 FOR GUTTER DEPRESSION DETAILS.

Fort Bend County  
 MUD 194



NB ACCESS ROAD ALONG  
 GRAND PARKWAY  
 PLAN & PROFILE  
 ENTRANCE RAMP

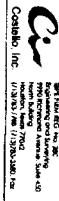
SHEET NO. 6 OF 7	SHEET NO.
HORIZ. SCALE: 1"=100'	49
VERT. SCALE: 1"=10'	



- NOTES:  
 1. REFER TO STORM SEWER PLAN AND PROFILE SHEET FOR LOCATION OF INLETS.  
 2. REFER TO STANDARD DETAIL CD FOR OUTER DRAINAGE DETAILS.



Fort Bend County  
 MUD 194



NB ACCESS ROAD ALONG  
 GRAND PARKWAY  
 PLAN & PROFILE  
 ENTRANCE RAMP

SHEET NO. 7 OF 7

SD SHEET NO.