

## LJA Engineering, Inc.



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July 31, 2012

Commissioner Grady Prestage  
Fort Bend County Precinct Two  
301 Jackson Street  
Richmond, Texas 77469



Re: Pecan Estates at Anderson Springs  
Sidewalk Variance Request  
LJA Job No.2040-1201 (6.1)

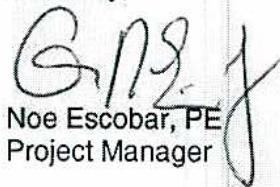
Dear Commissioner Prestage:

On behalf of Meritage Homes Corporation, we hereby request a variance to the sidewalks along a local street requirement, as stated in Section 5.8 of the Regulations of Subdivisions for Fort Bend County, for Pecan Estates at Anderson Springs. We respectfully ask that sidewalks be located only along the main collector roads in this subdivision (as seen in the attached exhibit).

Pecan Estates at Anderson Springs is a gated neighborhood with private streets that will be maintained by the Home Owners Association (HOA). The objective for the proposed subdivision is to have heavily wooded ¼ acre lots with an estate feel and all the benefits and convenience of living in a master planned community. The overall landplan for the community consists of a primary collector road with lateral cul-de-sacs (as shown in the exhibit). Each cul-de-sac street is proposed to be no more than 500' in length and service no more than 10 lots. A sidewalk will be provided along the entire length of the collector (Pecan Estates Drive and Pecan Landing Drive) which should provide adequate accommodations for pedestrian traffic to safely commute to the existing sidewalks on Sienna Ranch Road. In addition, there is a statement that has been added into the Supplemental Declaration of Covenants, Conditions, and Restrictions for Pecan Estates at Anderson Springs (attached) specifying that this will be the only sidewalk for the subdivision so the homeowners know that future sidewalks will not be built. Also in the Declaration (as well as a letter from Meritage Homes) is a statement verifying that neither Fort Bend County or Missouri City will be responsible for the installation, maintenance, or repairs of the future sidewalks.

We respectfully request that the provision of limited sidewalks with in Pecan Estates at Anderson Springs be granted to maintain the overall estate feel of the subdivision.

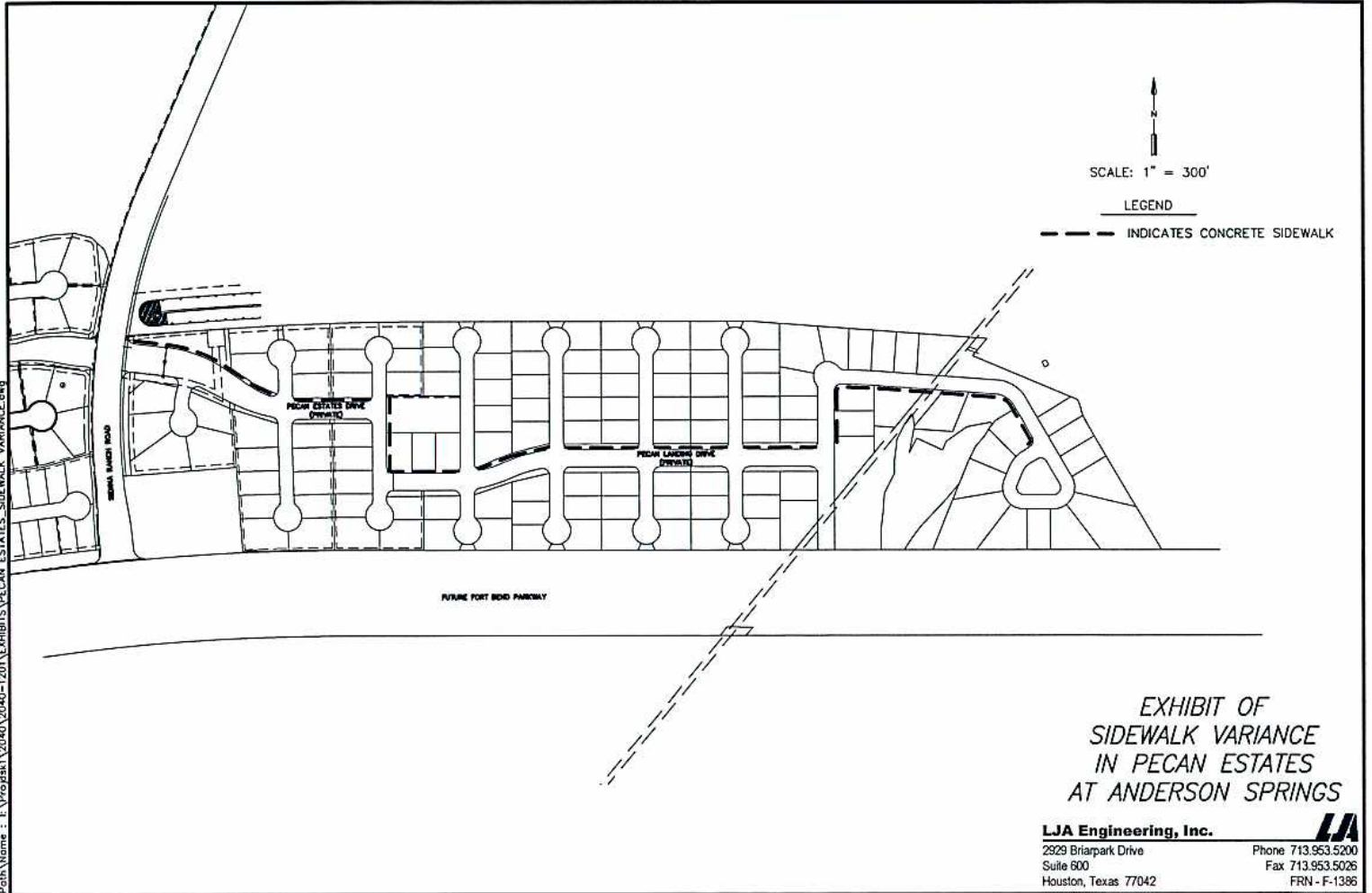
Sincerely,

  
Noe Escobar, PE  
Project Manager

ONE/dl

Attachment(s)

Date/Time : Thu, 31 May 2012 - 2:31pm User Name : ggonzalez  
Path/Name : I:\Projects\2040\2040-1201\EXHIBITS\PECAN ESTATES SIDEWALK VARIANCE.dwg





July 9, 2012

Jing J. Chen, PE  
Assistant City Engineer – City of Missouri City, TX  
1522 Texas Parkway  
Missouri City, TX 77489

Ms. Chen:

Meritage Homes of Texas, LLC ("Meritage") intends to obtain approval to record the plat for Pecan Estates at Anderson Springs Section 1 at the August 7<sup>th</sup>, 2012 Fort Bend Commissioners Court meeting. Meritage is currently working with Sienna/Johnson Development, LP to finalize the Supplemental Declaration document that will apply to the entire 57 acre tract owned by Meritage. The Supplemental Declaration will be a recorded restriction to the property in addition to the existing Declaration of Covenants, Conditions and Restrictions for the existing Sienna Plantation Residential Association.

The following statement will be included as one of the Articles within the Supplemental Declaration *"None of the Lots within the Pecan Estates at Anderson Springs Neighborhood are required to have sidewalks along or adjacent to such Lots, and neither Meritage (or any successor or assignee of Meritage), Sienna Development, Fort Bend County, Texas nor the City of Missouri City, Texas will have any obligation to install or pay any amount toward the cost of installation of such sidewalks. Meritage shall initially install sidewalks within such portions of the common areas and reserves of the Pecan Estates Property, if any, as Meritage, in its sole discretion, shall determine, and Meritage is not required to install sidewalks in any common areas or reserves. From the Neighborhood Assessments the Association shall thereafter pay the costs of maintaining and repairing any sidewalks that may be installed within common areas and reserves."* Meritage will install sidewalks, at a minimum, in the common areas as presented to the City of Missouri City. The Supplemental Declaration will remove any installation or maintenance responsibility for sidewalks from Fort Bend County or the City of Missouri City.

Please let me know if you need additional information.

Regards,

A handwritten signature in black ink, appearing to read "Nick Luton", written in a cursive style.

Nick Luton - Land Development Manager  
Meritage Homes – Houston Division  
2901 W. Sam Houston Parkway N. Ste. 250  
Houston, TX 77043  
(713) 357-1106