

# REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

121

On this 22 day of JULY, 2014, Commissioners Court came on to be heard and reviewed the accompanying notice of CLEARWATER UTILITIES, INC.

Job Location MASON ROAD

Dated 07/01/14 BOND NO 58S206757, Permit No. 84625 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 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  
301 JACKSON STREET  
RICHMOND, Texas 77469  
281-633-7500

3. This permit expires one (1) year from date of permit if construction has not commenced.

By

  
County Engineer

By

N/A  
Drainage District Engineer/Manager

Presented to Commissioners Court and approved.

Recorded in Volume 7-22-14  
Minutes of Commissioners Court.

Clerk of Commissioners Court

By Sherry Fick  
Deputy

**PERFORMANCE BOND COVERING ALL CABLE, CONDUIT AND/OR POLE LINE  
ACTIVITY IN, UNDER, ACROSS OR ALONG FORT BEND COUNTY ROADS**

AUTHORIZED  
BOND NO. 58S206757

10.14 Acre Retail Center (PO 24041)

THE STATE OF TEXAS       §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND       §

THAT WE, Clearwater Utilities, Inc. obo Fort Bend County MUD No. 118 whose address is 22803 Schiel Rd., Cypress, TX 77433, Texas, hereinafter called the Principal, and Liberty Mutual Insurance Company, a Corporation existing under and by virtue of the laws of the State of MA and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 175 Berkeley Street, Boston, MA 02117, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Allen Knepper and whose address is 13201 NW Frwy, Ste. 810, Wells Fargo Bldg., Houston, TX 77040 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 and 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 25th day of June, 20 14.

Clearwater Utilities, Inc.  
obo Fort Bend County MUD No. 118  
PRINCIPAL

BY

Liberty Mutual Insurance Company  
SURETY

BY Michelle Ulery  
Michelle Ulery, Attorney in Fact

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6241429

American Fire and Casualty Company  
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company  
West American Insurance Company

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, C.A. McClure; Kelly J. Brooks; Kenneth L. Meyer; Michelle Ulery

all of the city of Houston, state of TX each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 8th day of August, 2013.



American Fire and Casualty Company  
The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: Gregory W. Davenport  
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss  
COUNTY OF KING

On this 8th day of August, 2013, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley  
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV – OFFICERS** – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

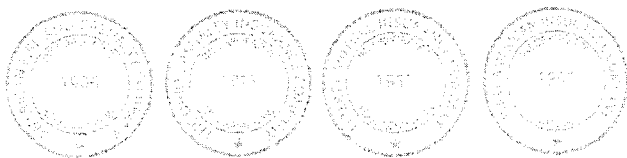
**ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 25th day of June, 20 14.



By: David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



## **Important Notice**

**TO OBTAIN INFORMATION OR TO MAKE A COMPLAINT:**

You may write to Liberty Mutual Surety at:

Liberty Mutual Surety  
Interchange Corporate Center  
450 Plymouth Road, Suite 400  
Plymouth Meeting, PA 19462-8284

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, TX 78714-9104  
Fax: (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

### **Premium or Claim Disputes**

Should you have a dispute concerning a premium, you should contact the agent first. If you have a dispute concerning a claim, you should contact the 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

301 JACKSON STREET  
RICHMOND, Texas 77469

Johnny Ortega  
Permit Administrator

1124 Blume Road  
Phone: (281) 633-7500

### PERMIT APPLICATION REVIEW FORM FOR CABLE, CONDUIT, AND POLE LINE ACTIVITY IN FORT BEND COUNTY

PERMIT NO. 084625

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.
- X c. Plans and specifications.
- X (2) Bond:
- District Attorney, approval when applicable.
- Perpetual bond currently posted.
- No.
- Amount
- X Performance bond submitted.
- No. 58S206757
- Amount \$5,000.00
- 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)

07/01/2014  
Date

NOTICE OF PROPOSED CABLE, CONDUIT AND/OR POLE LINE ACTIVITY  
IN, UNDER, ACROSS OR ALONG ROADS, STREETS, HIGHWAYS AND DRAINAGE DITCHES  
IN FORT BEND COUNTY

APPLICANT'S JOB NO.

PERMIT No.

PCT. No.

BOND No.

Formal notice is hereby given that Clearwater Utilities Inc.  
proposes to lay, construct, maintain and/or repair cable, conduit and/or pole line, in, under, across, or  
along roads, streets, highways and drainage ditches in Fort Bend County, as follows:

In, Under, or Across Roads and/or Drainage Ditches

Road or Ditch Name	Distance & Direction From Nearest Intersection	Length of Crossing	Type of Construction		
			Bored	Jacked	Driven: Case
Mason Rd	120' North of S.H. 99	113'			✓

Along Roads and/or Drainage Ditches

Road or Ditch Name	Distance & Direction From Nearest Intersection	To	Distance

## General Description

We are boring 8" Waterline inside a 16" Steel Casing  
under Mason Road

The Location and description of the proposed installation and appurtenances is more fully shown on the attached detail drawings. The laying, construction, maintenance and/or repair of the proposed installation shall be subject to "A Revised Order Regulating the Laying, Construction, Maintenance and/or Repair of Cables, Conduits, and/or 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 Commissioners Court of Fort Bend County, Texas, dated the 3rd. day of August, 1987, recorded in Volume 639 of the Minutes of the Commissioners Court of Fort Bend County, Texas.

Written notices are required: 1) 48 hours in advance of start of construction and 2) when construction is complete and ready for final inspection.

Mail to: Permit Administrator/Fort Bend County Engineering  
P.O. Box 1449, Rosenberg, TX 77471.

Violation of requirements shall constitute grounds for job shut down.

COMPANY NAME: Clearwater Utilities Inc.  
AGENT and/or OWNER

(Signature)

NAME &amp; TITLE:

(Please Print)

DATE:

ADDRESS:

(Street/P.O. Box)

City

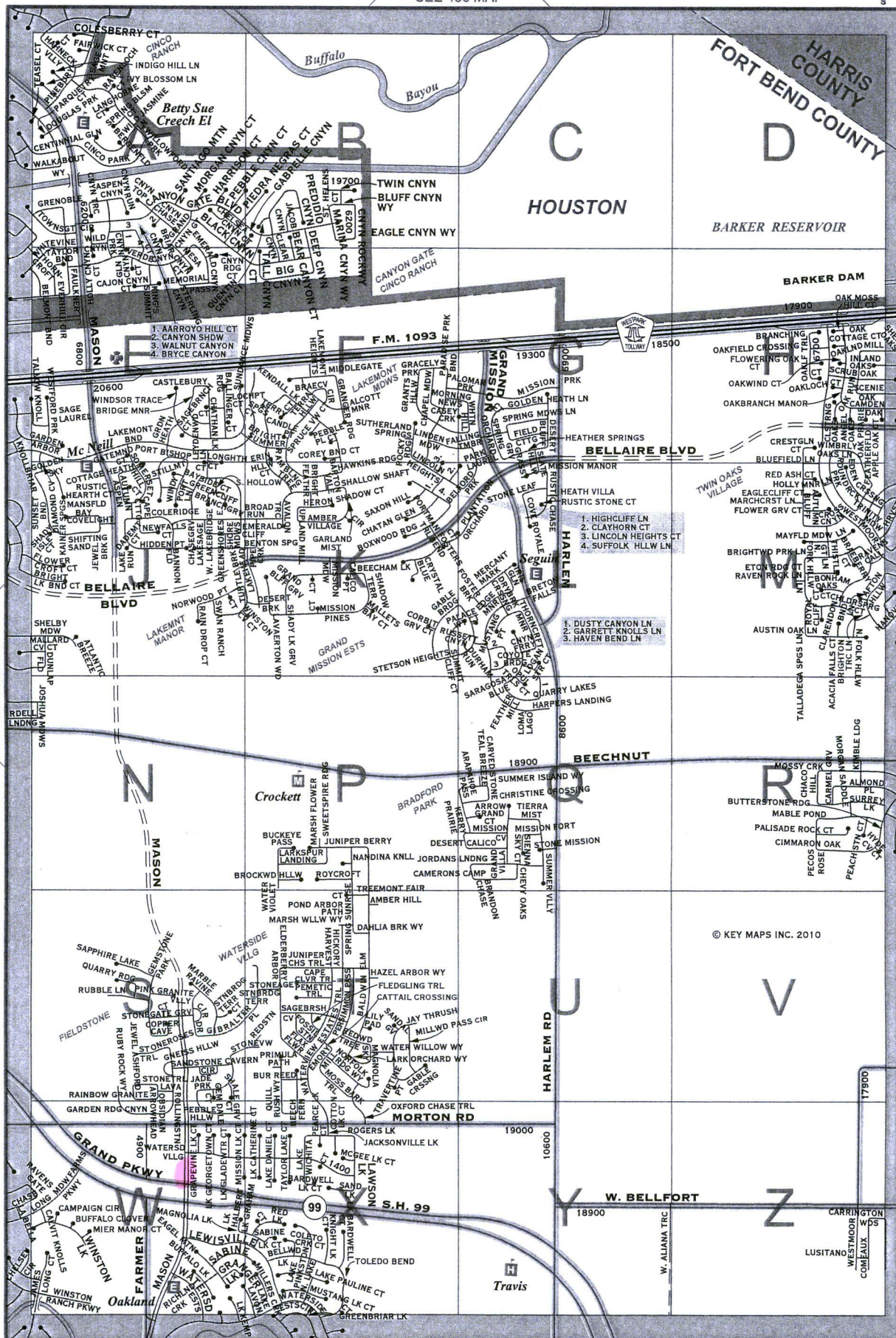
State

Zip

TELEPHONE NO:

(accessible 24 hrs/day, 7 days/week)

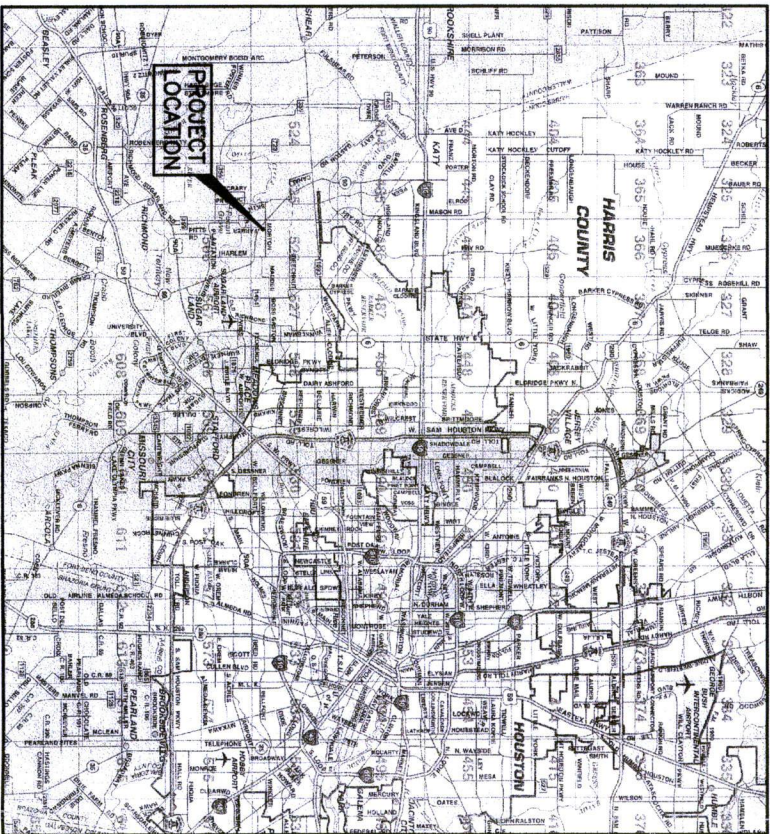




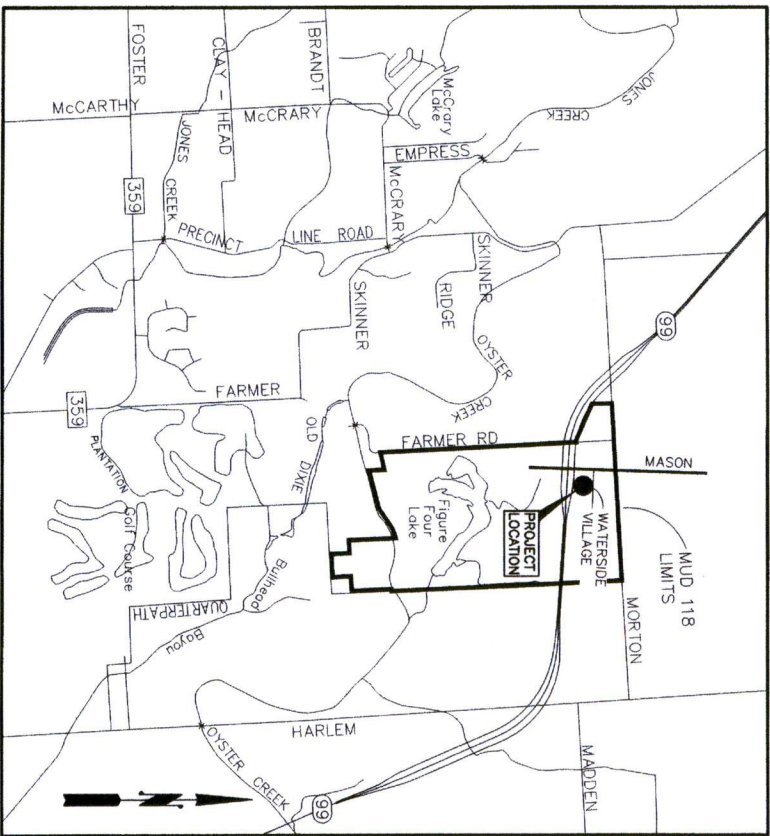


PLANS FOR CONSTRUCTION OF  
**PUBLIC WATER LINE, PRIVATE STORM SEWER, & PAVING**

TO SERVE  
**10.14 ACRE RETAIL CENTER**  
FORT BEND COUNTY MUD No. 118  
**FORT BEND COUNTY, TEXAS 77407**



VICINITY MAP  
N.T.S.



LOCATION MAP  
N.T.S.

RELEASED FOR  
CONSTRUCTION

KEY MAP PAGE 526 W  
FORT BEND COUNTY, TEXAS 77407

ONE-CALL NOTIFICATION SYSTEM  
CALL BEFORE YOU DIG!!  
(713)223-4567 (in Houston)  
(New Statewide Number Outside Houston)  
1-800-545-6005

ELDOP/PLAN INFORMATION:

THE SURVEYED TRACT LIES IN ZONE X (NO SHADING), DEFINED BY FEMA AS AREAS OUTSIDE THE 500-YEAR FLOODPLAIN, AS SCALED FROM FIRM MAP NUMBER 48157C0119 J, COMMUNITY NUMBER 480228 (FORT BEND COUNTY UNINCORPORATED AREAS). MAP REVISED JANUARY 3, 1997.

CONTRACTOR SHALL NOTIFY THE CITY OF HOUSTON, DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, OFFICE OF THE CITY ENGINEER, 48 HOURS BEFORE STARTING WORK ON THIS PROJECT. TEL. NO. 832-394-9098

APPROVED: *Richard W. Stollers*  
RICHARD W. STOLLERS, P.E.  
FORT BEND COUNTY ENGINEER  
DATE: *5/9/14*  
MAY 9 2014

**TERRA** ASSOCIATES, INC.  
CONSULTING ENGINEERS  
1445 N. LOOP WEST - SUITE 450  
HOUSTON, TEXAS 77008  
713-983-0333  
TYPE Registration No.: T-003832

TAI PROJECT NO. 1372-1302  
CONTRACT NO. 1  
MARCH 2014

INDEX OF DRAWINGS	
SHEET	TITLE
1	COVER SHEET
2	GENERAL CONSTRUCTION NOTES
3	EXISTING CONDITIONS
4	PLAT - WATERSIDE SHOPPING CENTER (FOR INFORMATION ONLY)
5	WATERLINE LAYOUT
6	PLAN & PROFILE - 8" WATERLINE BASELINE "A" - STA. 0+00 TO 4+00
7	PLAN & PROFILE - 8" WATERLINE BASELINE "B" - STA. 0+00 TO 3+80
8	PLAN & PROFILE - 8" WATERLINE BASELINE "B" - STA. 3+80 TO 7+35
9	PLAN & PROFILE - 8" WATERLINE BASELINE "C" - STA. 0+00 TO 3+40
10	PLAN & PROFILE - 8" WATERLINE BASELINE "C" - STA. 3+40 TO 5+75
11	WATERLINE DETAILS
12	STORM WATER POLLUTION PREVENTION PLAN
13	STORM WATER POLLUTION PREVENTION PLAN DETAILS
14	SITE STORM SEWER (PRIVATE) & DRAINAGE AREA MAP
15	PAVING & GRADING LAYOUT (PRIVATE)
16	STORM SEWER & PAVING DETAILS
17	TxDOT PEDESTRIAN RAMP DETAILS

NOTE: CITY SIGNATURES VALID FOR ONE YEAR ONLY  
AFTER DATE OF SIGNATURES

NOTE: PRIOR TO THE CONSTRUCTION OF THESE FACILITIES WITHIN OR BY THE DISTRICT THE DISTRICT OR ITS ENGINEER WILL GIVE WRITTEN NOTICE BY THE REGISTERED CITY OF HOUSTON, TEXAS, STATING THE DATE SUCH CONSTRUCTION WILL BE COMMENCED.

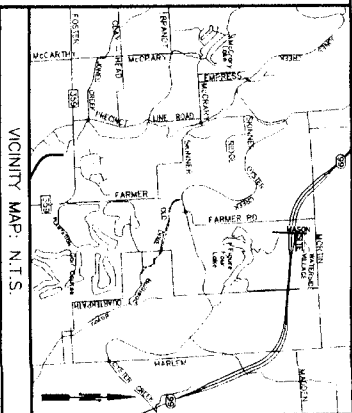
NO PROPOSED WASTE WATER WORK IS SHOWN ON THIS PLAN SET NOR INCLUDED IN THIS SCOPE OF WORK.

EASEMENTS WILL BE RECORDED UNDER SEPARATE INSTRUMENTS.

ILMS NO. 14014219  
COH LOG NO. 14-0191

TERRA ASSOCIATES, INC. 1445 NORTH LOOP WEST, SUITE 450 HOUSTON, TEXAS 77008 (713)983-0333		SHEETED BY: GBS SARGENT CO. BY NO.:	
CITY OF HOUSTON DEPARTMENT OF PUBLIC WORKS AND ENGINEERING SHEET & BOOK		FOR CITY OF HOUSTON USE ONLY	
DESIGNED BY: <i>Richard W. Stollers</i> DATE: <i>5/9/14</i>	INVOICE AND INVOICEMENT	51947	
STATIONED BY: <i>Richard W. Stollers</i> DATE: <i>5/9/14</i>	STORM WATER QUALITY		
CITY ENGINEER			
DIRECTOR OF PUBLIC WORKS AND ENGINEERING			





TO ARRANGE FOR LINES TO BE TURNED OFF OR MOVED, CALL  
CENTERPOINT ENERGY AT 713-207-2222

NOTICE:

**VERIFICATION OF PRIVATE UTILITY LINES**

Contract/Project: Emergency/Refugee  
 (This signature verifies that you have shown CAP Mutual Gas Buses correctly  
 not to be used for contract verification. (Gas service buses are not shown))

Date: 4/2/94

Date: 4/2/14  
 Signature: [Signature]  
 Chief/Point Engineer/Inspector/Lead Electrical Facilities Verification Only

Signature Valid for six months

*[Signature]*

Date: 4-8-14

[illegible]

REVNO.	DESCRIPTION	DATE	APP.
1	Check #1000	10/10/00	

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY LYLE HENKEL, P.E. 87736

CLASSIC ENGINE

**TEKRA**  
ASSOCIATES, INC.  
CONTROL, TMO ENGINEERS  
1445 N. LOOP WEST - SUITE 450  
HOUSTON, TEXAS 77006  
713-883-0333  
TYPE Registration No.: F-003852

**BELT 15 PARTNERS  
PUBLIC WATERLINE, PRIVATE**

**SERVE 10.14 ACRE RETAIL**

## WATERLINE LAYOUT

DRAWN BY: DER	PROJECT No. 1372-1202
CHECKED BY: LEH	FILE NAME: 05-WTRLAY

CONTRACT: 1	SHEET 05 OF 17
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NOTE: CITY SIGNATURES VALID FOR ONE YEAR ONLY  
 EXPIRATION DATE OF SIGNATURES:

**CITY OF HOUSTON**  
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

BASIN/DRAIN	08-27-96
STORM	17 ponds
	MATC AND TRANSDUCTION
	STORM WATER QUALITY

FILE NO:	FOR CITY OF HOUSTON USE ONLY
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DRAWING SCALE	
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51947

SHEET  
No: 05 of 17

