

REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

11F

On this 04 day of NOVEMBER, 2014, Commissioners Court
came on to be heard and reviewed the accompanying notice
of BAY UTILITIES, LLC

Job Location [FUTURE] KATY - FLEWELLEN ROAD

Dated 10/22/14 BOND NO. 1030701, Permit No. 84707
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 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
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

[Signature]
County Engineer

By

N/A
Drainage District Engineer/Manager

Presented to Commissioners Court
and approved.

Recorded in Volume 11/4/14
Minutes of Commissioners Court.

Clerk of Commissioners Court

By

[Signature]
Deputy

RENEE MICHULKA

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

AUTHORIZED

BOND NO 1030701

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, Bay Utilities, L.L.C. whose address is 28411 Sweetgum, Magnolia, Texas 77354, Texas, hereinafter called the Principal, and The Hanover Insurance Company, a Corporation existing under and by virtue of the laws of the State of New Hampshire and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at Worcester, Massachusetts, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Johnna Brandt and whose address is 10375 Richmond Ave., #1050, Houston, Texas 77042, 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 Dollars 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 15th **day of** October, **20** 14.

Bay Utilities, L.L.C.
PRINCIPAL

BY

The Hanover Insurance Company
SURETY

BY Mary M. Rifaat, Attorney-in-Fact

**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**

**POWERS OF ATTORNEY
CERTIFIED COPY**

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

**Roxanne G. Hebert, Bruce C. DeHart, David R. Groppell, Edward L. Moore, Lori Ellis,
Mary M. Rifaat, Beverly A. Ireland and/or Sharen Groppell**

of **Spring, TX** and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Any such obligations in the United States, not to exceed Thirty Five Million and No/100 (\$35,000,000) in any single instance

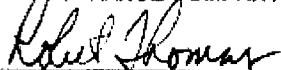
and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this **5th** day of **December** 2011.



**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**



Robert Thomas, Vice President



Joe Brenstrom, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this **5th** day of **December** 2011 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



BARBARA A. GARLICK
Notary Public
Commonwealth of Massachusetts
My Commission Expires Sept. 21, 2018



Barbara A. Garlick, Notary Public
My Commission Expires September 21, 2018

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this **15th** day of **October** 2014.

**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**



Glenn Margosian, Vice President

IMPORTANT NOTICE

To obtain information or make a complaint:
You may call The Hanover Insurance Company/
Citizens Insurance Company of America's toll-free
telephone number for information or to make a
complaint at:

1-800-608-8141

You may also write to The Hanover Insurance Company/
Citizens Insurance Company of America at:

440 Lincoln Street
Worcester, MA 01615

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.texas.gov>
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium
or about a claim you should contact the agent or 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.

AVISO IMPORTANTE

Para obtener informacion o para someter una queja:
Usted puede llamar al numero de telefono gratis de
The Hanover Insurance Company/Citizens Insurance
Company of America's para informacion o para
someter una queja al:

1-800-608-8141

Usted tambien puede escribir a The Hanover Insurance
Company/Citizens Insurance Company of America al:

440 Lincoln Street
Worcester, MA 01615

Puede comunicarse con el Departamento de Seguros
de Texas para obtener informacion acerca de
compañias, coberturas, derechos o quejas al:

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P. O. Box 149104
Austin, TX 78714-9104
Fax: (512) 475-1771
Web: <http://www.tdi.texas.gov>
E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concerniente a su prima o a un
reclamo, debe comunicarse con el agente o la com-
pañia primero. Si no se resuelve la disputa, puede
entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA: Este aviso es solo
para proposito de informacion y no se convierte en
parte o condicion del documento adjunto.

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. 084707

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. 1030701
- Amount \$5,000.00
- Cashier's Check.
- No.
- Amount

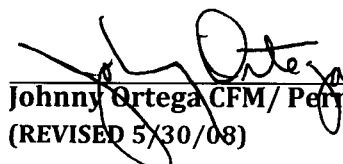
- (3) Verbal permission given for emergencies, to start construction before approved in Commissioner's Court.

 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)

10/22/2014
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.

54707 3
1030701

Formal notice is hereby given that

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	Bored	Jacked	Driven	Cased
Katy-Flewellen	230' South Crossover Rd	50'				

Along Roads and/or Drainage Ditches

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

General Description

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

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
301 Jackson Richmond, TX 77469.

Violation of Requirements shall constitute grounds for job shut down.

As of 9/1/2014, we will no longer mail out permits. Instead, we will email them.

Please complete:

Name:

Lynnette Fuselier

Email address:

lynnette@bayutilities.com

COMPANY NAME:

Bay Utilities, LLC

AGENT AND/OR OWNER

NAME & TITLE:

Mike Kinkauf Sr.

(Signature)

DATE:

10-15-14

ADDRESS:

28411 Sweetgum

Magnolia, Texas

City

State

77354

Zip

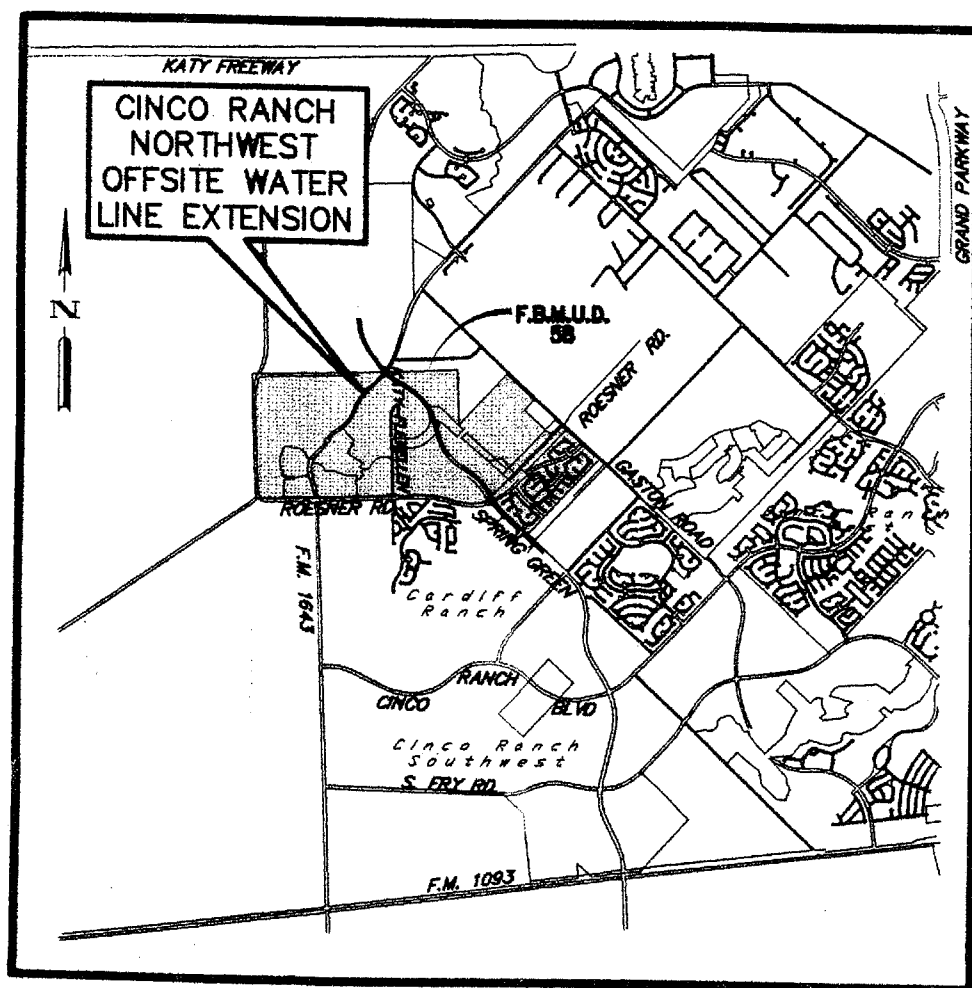
TELEPHONE No.

281-356-4008

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

Fort Bend County M.U.D. 58
Cinco Ranch Northwest
OFFsite Water Line
Extension

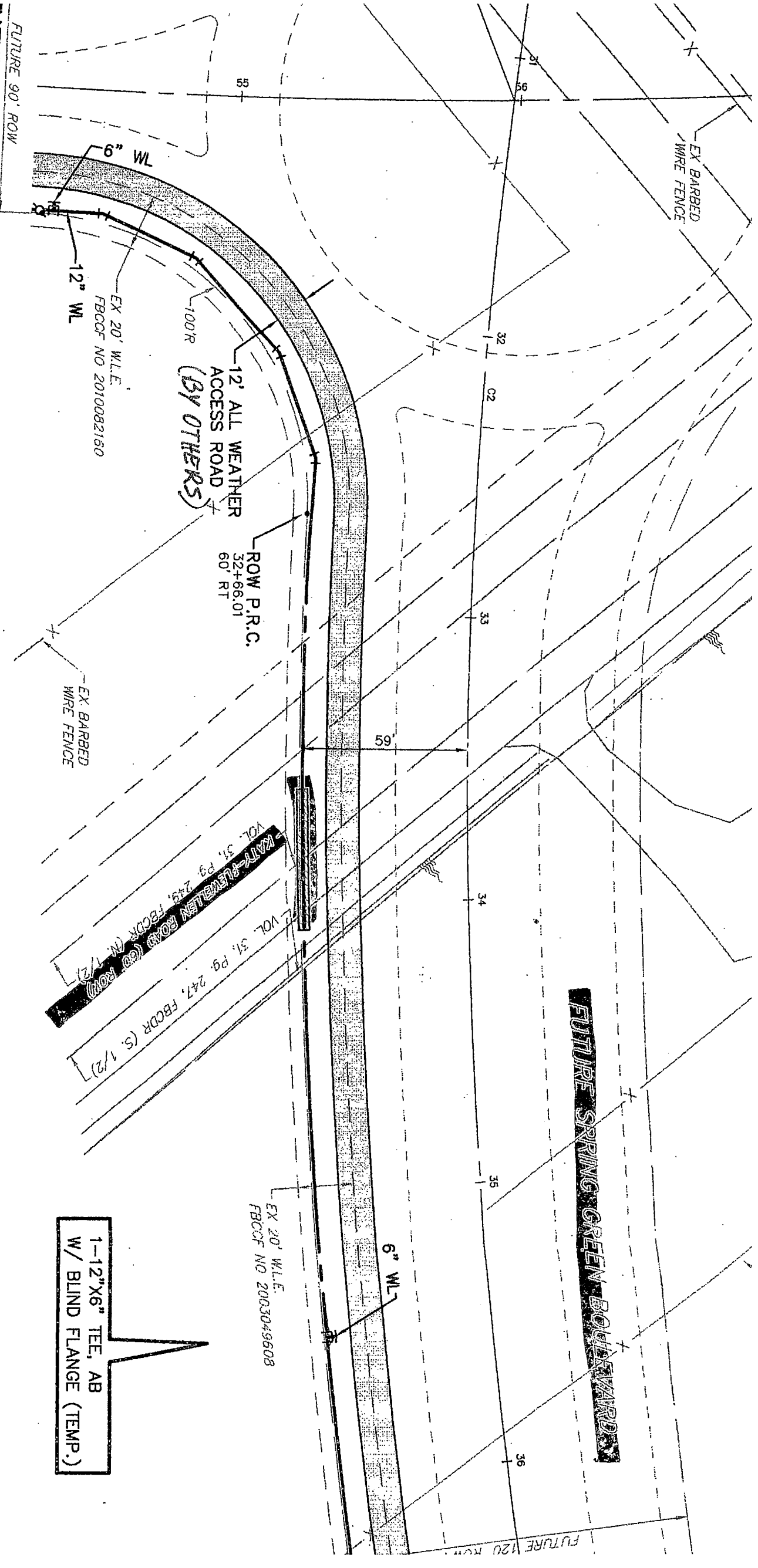
Brown & Gay Engineers, Inc (BGE)



VICINITY MAP
N.T.S.
FBC KEY MAP 484-S
ZIP CODE: 77494
LAMBERT 4256

OFFSITE 12" WATER LINE ALONG FUTURE SPRING GREEN BOULEVARD

FUTURE CINCO TRACE DRIVE
See Sht. 8



1-12"x6" TEE, AB
W/ BLIND FLANGE (TEMP.)

NOTES: TO OBTAIN ALL PERMITS REQUIRED PRIOR TO START EXCAVATING, CALL 1-800-245-UNDRILL. IN THE OWNERS NAME. ALL PERMITS REQUIRED PRIOR TO START EXCAVATING. ROAD UTILITIES AND/OR THE CITY OF ROAD RILITES TEXAS

12: ALL WEATHER
ACCESS ROAD
(BY OTHERS)

GREEN BLVD

EX. 20, WL. 5.
BCCF NO 2003049508

74-62

10

MISS J. W. ST.

FUTURE
120 ROW

12th ML

6-6-61

Katy-Flewellen Road

FORM 2

EX: 28, W.L.E.
FBCCF NO 2010033150

FLY TIE DYE

LM 9

EXISTING BUILDING

~~BARBED WIRE FENCE~~

FUTURE
100' ROW