

PETITION FOR ADDITION OF CERTAIN LANDS TO
CINCO MUNICIPAL UTILITY DISTRICT NO. 8

TO: THE BOARD OF DIRECTORS OF CINCO MUNICIPAL UTILITY DISTRICT
NO. 8 OF FORT BEND COUNTY, TEXAS:

We, the undersigned, representatives of Fort Bend County, the owner of the tract of land described on Exhibit "A" (herein the "Petitioner"), and acting pursuant to the provisions of Chapters 49 and 54, Texas Water Code, particularly Section 49.301 of that Code, together with all amendments and additions thereto, respectfully petition this Honorable Board of Directors that the land described separately by metes and bounds in Exhibits "A" (the "Tract") be added to become a part of the established Cinco Municipal Utility District No. 8 of Fort Bend County, Texas (the "District"), and in support of this Petition would show as follows:

I.

The Petitioner is the holder of title to the Tract to the extent of the Petitioner's interest in the Tract, as shown by the Fort Bend County Tax Rolls and conveyances of record. There are no liens retained by any party on the Tract.

II.

The addition of the Tract to the District is feasible and practical and would be of benefit both to the area to be added and to the District.

III.

This Petition shall constitute an election on the part of the Petitioner, its successors, and assigns, for the aforesaid Tract and any improvements which are now or may hereafter be constructed thereon to become liable for all present and future debts of the District in the same manner and to the same extent as other lands and improvements in the District are liable for the District's debts.

IV.

Without limiting the generality of Paragraph III above, the Petitioner is aware that the District has heretofore issued bonds. The Petitioner is a tax-exempt entity and therefore will not assume its share of all bonds or other obligations of the District. Petitioner hereby agrees that in the future if the Tract is sold to a taxable entity with any or all improvements thereon, presently existing or to be constructed, that said taxable entity shall assume its share of all bonds or other obligations of the District and that the Tract must be taxed equally with all other property within the District. Petitioner acknowledges, consents to, and affirmatively requests the assumption by the area to be annexed of a future owner's pro rata share of all obligations of the District and of the taxes to be levied or hereafter to be levied by the District.

V.

The Petitioner, its successors, and assigns, hereby agrees that the Tract and any improvements existing or to be constructed thereon shall be liable for its pro rata share of all voted but unissued bonds of the District, which were authorized at the 11 August 1990 election held within the District and which may hereafter be issued and sold by the District. This Petition constitutes authorization by the Petitioner, its successors, and assigns, for the Board of Directors of the District to issue and sell all of the remaining unissued bonds for the purposes and upon the terms and conditions such bonds were voted, in one or more issues or series, at a future date or dates, when in the Board's judgment such amounts are required for the authorized purposes.

VI.

This Petition shall further be considered the consent and authorization of the Petitioner, its successors, and assigns, for all the taxable land described in Exhibit "A" and all improvements now existing or to be constructed thereon to be taxed uniformly and equally on an ad valorem basis with all other taxable property within the District, if the land is sold to a taxable entity in the future, for: (1) the payment of principal and interest on the District's outstanding bonds; (2) the payment of principal and interest on the District's voted but unissued bonds; and (3) all other purposes for which the District may lawfully levy taxes, including taxes levied for maintenance purposes and taxes levied pursuant to the contract between the District and Cinco Municipal Utility District No. 1.

VII.

For and in consideration of the addition of the Tract to the District, the Petitioner agrees that the covenants contained herein shall become fixed with the Tract, shall run with the Tract, and shall be binding on the Petitioner, its successors, and assigns.

WHEREFORE, the Petitioner prays that this petition be properly filed of record in the Real Property Records of Fort Bend County, Texas, as provided by law; that it be set down for a hearing at a date to be fixed in keeping with the provisions of said Chapters 49 and 54, Texas Water Code, as amended; that notice of such hearing be given and this petition in all things be granted and that the land described in Exhibit "A" be added to and become a part of the established Cinco Municipal Utility District No. 8 of Fort Bend County, Texas; that the order of the Board granting this petition be filed of record in the Real Property Records of Fort Bend County, Texas; that the land described in Exhibit "A" thereafter be part of Cinco Municipal Utility District No. 8 of Fort Bend County, Texas.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated.

FORT BEND COUNTY

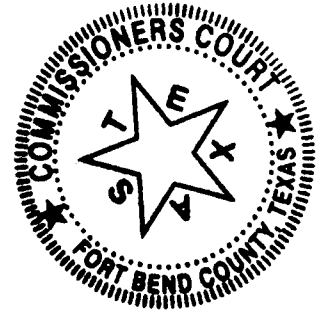
Robert E. Hebert
Robert E. Hebert, County Judge

Date: 11-18-14

Attest:

Dianne Wilson
Dianne Wilson, County Clerk

(COUNTY SEAL)



THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned, on this day personally appeared Robert E. Hebert, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of November, 2014.

Luisa M Bowers
Notary Public in and for the State of Texas

(NOTARY SEAL)



After recording, return to:
Suzanne McCalla
Coats, Rose, Yale, Ryman & Lee, P.C.
9 East Greenway Plaza, Suite 1100
Houston, Texas 77046

EXHIBIT "A"

DESCRIPTION OF TRACT

FORT BEND COUNTY WESTPARK PARK AND RIDE

FIELD NOTES FOR 469,686 SQUARE FEET OR 10.783 ACRES OF LAND BEING ALL OF A CERTAIN TRACT OF LAND DESCRIBED IN A DEED DATED DECEMBER 18, 1992, CONVEYED FROM MARIAN LLOYD WHELESS TO COUNTY OF FORT BEND, TEXAS, AS RECORDED IN FORT BEND COUNTY CLERK'S FILE NO. (F.B.C.C.F. No.) 9276666 OF THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY OF TEXAS (O.P.R.F.B.C., TX.), LOCATED IN THE H. D. BROWN SURVEY, ABSTRACT NO. 406, FORT BEND COUNTY, TEXAS: (The bearings and coordinates are referenced to the Texas Coordinates System, South Central Zone, NAD 83, and may be brought to surface by applying the following combined scale factor of 0.999870017.)

BEGINNING at a 3/8-inch iron rod with cap "Landtech" (X=3,006,227.98, Y=13,818,140.31) found in the north right-of-way line of F. M. 1093 [100 feet wide per Volume 175, Page 211 of the Fort Bend County Deed Records (F.B.C.D.R.)] for the southeast corner of a certain tract of land conveyed to Vincere Cinco Business Park, L.L.C., as recorded in F.B.C.C.F. No. 2011116995, O.P.R.F.B.C., TX. and the southwest corner of the herein described tract;

THENCE North 06° 56' 25" West, along the east line of said Vincere Cinco Business Park, L.L.C. tract and a certain tract of land conveyed to Six Storage Partners, L.P., as recorded in F.B.C.C.F. No. 2004136282, O.P.R.F.B.C., TX., a distance of 725.44 feet to a 5/8-inch iron rod with cap "RPLS 4729" found in the south line of a certain tract of land conveyed to United States of America, as recorded in Volume 225, Page 26, F.B.C.D.R. for the northeast corner of said Six Storage Partners, L.P. tract and the northwest corner of the herein described tract (from which a found 1/2-inch iron rod bears South 03° 56' 48" West, 0.78 feet);

THENCE North 82° 51' 26" East, along the south line of said United States of America tract, a distance of 590.59 feet to a 3/8-inch iron rod with cap "Landtech" found for the northwest corner of a 180 feet H.L. & P. Easement, as recorded in Volume 437, Page 116, F.B.C.D.R. and a certain tract of land conveyed to Houston Lighting and Power Company, as recorded in Volume 739, Page 571, F.B.C.D.R. and the northeast corner of the herein described tract (from which a found 5/8-inch iron rod bears South 87° 19' 48" West, 0.47 feet and a found 1-inch iron pipe bears North 34° 33' 16" West, 0.53 feet);

THENCE South 15° 40' 12" East, along the west line of said 180 feet H.L. & P. Easement and said Houston Lighting and Power Company tract, a distance of 736.05 feet to a 5/8-inch iron rod found in the north right-of-way line of said F. M. 1093 for the southwest corner of said 180 feet H.L. & P. Easement and said Houston Lighting and Power Company tract and the southeast corner of the herein described tract;

THENCE South 83° 03' 35" West, along the north right-of-way line of said F. M. 1093, a distance of 702.30 feet to the **POINT OF BEGINNING** and containing 10.783 acre of land.

Job No. 13-2-0179.00, Dwg No. 2166-D-3017

Paul P. Kwan 2/10/2014

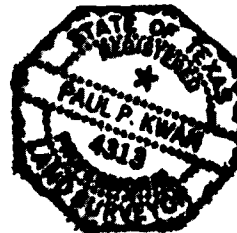
Paul P. Kwan

Texas Registered Professional Land Surveyor No. 4313

Landtech Consultants, Inc., TBPLS Firm No. 10019100

2525 North Loop West, Suite 300, Houston, Tx 77008, Phone: 713-861-7068

This metes and bounds description is accomplished by a separate plat.



PETITION FOR CONSENT TO
ADDITION OF LAND TO A MUNICIPAL UTILITY DISTRICT

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF HOUSTON,
TEXAS:

The undersigned, Cinco Municipal Utility District No. 8 (the "District") and Fort Bend County, Texas (referred to herein as the "County"), respectfully petition the City of Houston, Texas, for its consent to the addition of the land described in Exhibit "A" to the District. In support of this Petition, the District and the County would show the following:

I.

The one (1) tract of land sought to be added to the District is described separately by metes and bounds in Exhibit "A" attached hereto and made a part of this Petition (the "Tract").

II.

The Tract lies wholly within Fort Bend County, Texas, and not within the boundaries of any incorporated city or town. The Tract lies wholly within the exclusive extraterritorial jurisdiction of the City of Houston, Texas, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

The County is the holder of title to the Tract, as shown by the Fort Bend County Tax Rolls and conveyances of record. There are no liens retained by any party on the Tract.

IV.

The District was originally created as a municipal utility district by an Act of the 69th Legislature of the State of Texas, Regular Session, as signed by the Governor of Texas on 24 May 1985, and is governed by the provisions of Chapters 49 and 54, Texas Water Code.

V.

The general nature of the work to be done by and within the Tract at the present time is the construction, maintenance and/or operation of a waterworks system for domestic and commercial purposes; the construction, maintenance and/or operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement, and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction, installation, maintenance, purchase and/or operation of such additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is organized.

VI.

There is a necessity for the improvements described above because the Tract is located within an area that is experiencing substantial and sustained residential and commercial growth, is urban in nature and is not supplied with adequate water, sanitary sewer, and drainage facilities and services. The health and welfare of the future inhabitants of the Tract require the acquisition and installation of an adequate waterworks, sanitary sewer, and storm drainage system.

The purchase, construction, extension, improvement, maintenance and/or operation of such waterworks system and storm and sanitary sewer collection and disposal systems will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Tract within the District.

VII.

Said proposed improvements are practicable and feasible, in that the terrain of the Tract is of such a nature that a waterworks system and sanitary and storm sewer systems can be constructed at a reasonable cost; and said land will be rapidly developed for commercial purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tract and it is now estimated by those filing this Petition, from such information as they have at this time, that the ultimate cost of extending the District's facilities to serve the Tract will be approximately \$442,000.00, including construction costs, engineering, and contingencies.

IX.

The County requests consent to the addition of the Tract to the District under and in accordance with the terms and conditions which are set forth in Exhibit "B," attached hereto and made a part hereof for all purposes.

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WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of Houston, Texas, adopt an ordinance giving its written consent to the addition of the Tract to the District.

RESPECTFULLY SUBMITTED this ____ day of _____, 2014.

CINCO MUNICIPAL UTILITY DISTRICT NO. 8

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(DISTRICT SEAL)

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the ____ day of _____, 2014, by Doug Brewer, as President of the Board of Directors of Cinco Municipal Utility District No. 8, a political subdivision, on behalf of said political subdivision.

Notary Public in and for the State of Texas

(NOTARY SEAL)

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated.

FORT BEND COUNTY

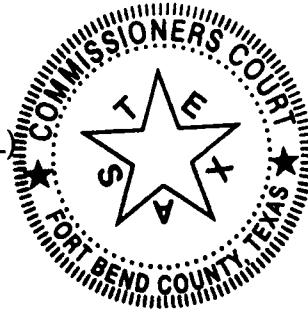
Robert E. Hebert
Robert E. Hebert, County Judge

Date: 11-18-14

Attest:

Dianne Wilson
Dianne Wilson, County Clerk

(COUNTY SEAL)



THE STATE OF TEXAS §
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COUNTY OF FORT BEND §

BEFORE ME, the undersigned, on this day personally appeared Robert E. Hebert, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of November, 2014.

Luisa M Bowers
Notary Public in and for the State of Texas

(NOTARY SEAL)



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Paul P. Kwan 2/10/2014

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Texas Registered Professional Land Surveyor No. 4313

Landtech Consultants, Inc., TBPLS Firm No. 10019100

2525 North Loop West, Suite 300, Houston, Tx 77008, Phone: 713-861-7068

This metes and bounds description is accomplished by a separate plat.





EXHIBIT "B"

(a) To the extent authorized by law, the District will issue bonds only for the purpose of purchasing and constructing, or purchasing, or constructing under contract with the City of Houston, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, recreational facilities, road facilities, or facilities for fire-fighting services, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given. The resolution authorizing the issuance of the District's bonds will contain a provision that any pledge of the revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City of Houston, Texas, annexes the District, takes over the assets of the District and assumes all of the obligations of the District. No land located within the extraterritorial jurisdiction of the City of Houston will be added or annexed to the District until the City of Houston has given its written consent by resolution or ordinance of the City Council to such addition or annexation.

(b) (1) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the Director of the Department of Public Works and Engineering of the City of Houston, or to his designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage, and road facilities and related improvements to serve the District and obtain the approval of such plans and specifications therefrom. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform exactly to the specifications of the City of Houston. All water service lines and sewer service lines, lift stations, sewage treatment facilities, and road facilities, and appurtenances thereto, installed or used within the District will comply with the City of Houston's standard plans and specifications as amended from time to time. Prior to the construction of any water, sanitary sewer, drainage or road facilities within or by the District, the District or its engineer will give written notice by registered or certified mail to the Director of Public Works and Engineering, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of the City of Houston; and during the progress of the construction and installation of such facilities, the Director of Public Works and

Engineering of the City of Houston, or an employee thereof, may make periodic on-the-ground inspections.

(2) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of recreational facilities, the District shall obtain and maintain on file, from a registered landscape architect, registered professional engineer or a design professional allowed by law to engage in architecture, a certification that the recreational facilities, as constructed, conform to the applicable recreational facilities design standards and specifications of the City of Houston's Department of Parks and Recreation and shall submit a copy of the certification and the "as built" plans and specifications for such recreational facilities to the Director of the City of Houston Parks and Recreation Department.

(3) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of facilities for fire-fighting services, the District shall obtain and maintain on file, from a registered architect, registered professional engineer or a design professional allowed by law to engage in facility design and construction, a certification that the facilities for fire-fighting services, as constructed, conform to the applicable fire-fighting facilities design standards and specifications of the City of Houston's Fire Department and shall submit a copy of the certification and the "as built" plans and specifications for such facilities for fire-fighting services to the Chief of the City of Houston Fire Department.

(c) The District will agree to engage a sewage plant operator holding a valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality, or such successor agency as the legislature may establish ("TCEQ"), as required by Section 26.0301, Texas Water Code, as may be amended from time to time. The District will agree to make periodic analyses of its discharge pursuant to the provisions of Order No. 69-1219-1 of the Texas Water Quality Board (predecessor agency to the TCEQ) and further to send copies of all such effluent data to the Department of Public Works and Engineering, City of Houston, as well as to the TCEQ. The District will agree that representatives of the City of Houston may supervise the continued operations of the sewage treatment facility by making periodic inspections thereof.

(d) The District, its board of directors, officers, developers, and/or landowners will not permit the construction, or commit to any development within, the District that will result in a wastewater flow to the serving treatment facility which exceeds that facility's legally permitted average daily flow limitations or the District's allocated capacity therein.

(e) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the Planning Commission of the City of Houston of a plat which will be duly recorded in the Real Property Records of Harris County, Texas, and otherwise comply with the rules and regulations of the Department of Planning and Development and the Department of Public Works and Engineering of the City of Houston.

CERTIFICATE AS TO QUALIFIED VOTERS AND LIENS

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

We, the undersigned, representatives of Fort Bend County, Texas, the owner of a tract of land described on Exhibit "A," do hereby certify that as of the date of the Petition for Addition of Certain Lands to Cinco Municipal Utility District No. 8 and the date of the Petition for Consent to Annex Land to a Municipal Utility District there were no lienholders on all or part of the property and no qualified voters residing on all or part of the property as described in Exhibit "A."

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated.

FORT BEND COUNTY

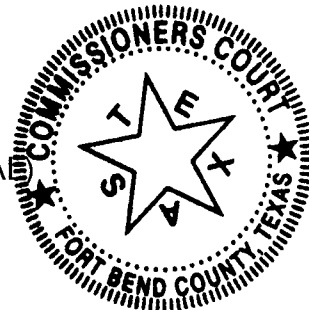

Robert E. Hebert, County Judge

Date: 11-18-14

Attest:


Dianne Wilson, County Clerk

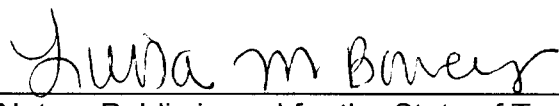
(COUNTY SEAL)



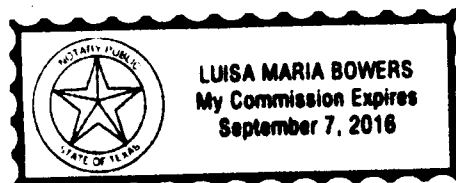
THE STATE OF TEXAS §
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BEFORE ME, the undersigned, on this day personally appeared Robert E. Hebert, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of November, 2014.


Notary Public in and for the State of Texas

(NOTARY SEAL)



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