

3  
Resolution No. 2015-294  
~~ORDINANCE NO. 2015-1199~~

**RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, GRANTING  
CONSENT TO THE CREATION OF FORT BEND COUNTY LEVEE  
IMPROVEMENT DISTRICT NO. 21, A POLITICAL SUBDIVISION TO BE  
SITUATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE  
CITY OF FULSHEAR, TEXAS**

**WHEREAS**, on or about the \_\_\_ day of \_\_\_, 2015, a petition for consent to the creation, organization and establishment of a levee improvement district (Fort Bend County Levee Improvement District No. 21) to be situated within the extraterritorial jurisdiction of the City of Fulshear (the "City"), was submitted to the City Commission of the City; and

**WHEREAS**, said petition was duly executed pursuant to the provisions of Chapter 57, Subchapter B, Texas Water Code, by the holders of title to a majority of the acreage sought to be included in the District; and

**WHEREAS**, all of the land proposed to be included in Fort Bend County Levee Improvement District No. 21 is located entirely within the City's extraterritorial jurisdiction; and

**WHEREAS**, Section 42.042(a) of the Texas Local Government Code requires the consent of the City to the creation of a political subdivision, one purpose of which is to provide drainage and flood protection, in the City's extraterritorial jurisdiction; and

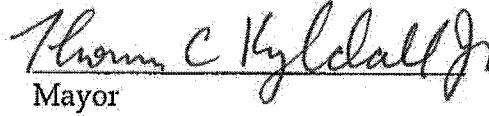
**WHEREAS**, after due consideration, it is the opinion of the City Commission that consent to the creation of Fort Bend County Levee Improvement District No. 21 should be given;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF  
THE CITY OF FULSHEAR, TEXAS:**

**Section 1.** The facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct.

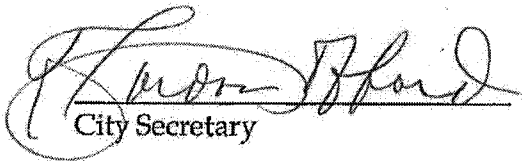
**Section 2.** The City of Fulshear, Texas, hereby consents to the creation of the Fort Bend County Levee Improvement District No. 21, a political subdivision to be situated within the extraterritorial jurisdiction of the City of Fulshear, Texas, containing a total area of 5,583.61 acres, more or less, and more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof. Furthermore that said consent is based on an agreement to the Consent Conditions as detailed in the hereto attached Exhibit "B".

ADOPTED AND APPROVED this 17<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
City Attorney

**Attachments:**

**Exhibit A - Metes and Bounds Description of the Land**

**Exhibit B - Conditions to Consent**

# EXHIBIT A

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES

FEBRUARY 25, 2014  
JOB NO. 2207-00  
PAGE 1 OF 10

## DESCRIPTION OF A 5,583.61 ACRE TRACT OF LAND SITUATED IN THE JOHN FOSTER 2-1/2 LEAGUE GRANT, ABSTRACT NO. 26 AND THE RANDON & PENNINGTON LEAGUE, ABSTRACT NO. 75 FORT BEND COUNTY, TEXAS

BEING a 5,583.61 acre tract of land situated in the John Foster 2-1/2 League Grant, Abstract No. 26 and the Randon & Pennington League, Abstract No. 75 of Fort Bend County, Texas and being part of a called 3,063.45 acre tract of land described as First Tract and of a called 1,410.69 acre tract of land described as Second Tract in a conveyance to Foster Farms, Inc. recorded in Volume 362, Page 549 of the Fort Bend County Deed Records (F.B.C.D.R.) also being all of a called 1,081.9 acre tract of land described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 9231591, said 5,583.61 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the most northerly Northwest corner of said 3,063.45 acre tract and the Northeast corner of a called 339.63 acre tract described and recorded in Volume 349, Page 524 of the F.B.C.D.R. also the Southwest corner of a called 314 acre tract described and recorded in Volume 465, Page 585 of the F.B.C.D.R.;

THENCE, S 89° 43' 00" E, a distance of 1,834.00 feet to the most northerly northeast corner of said 3063.45 acre tract and being in the western right-of-way line of Winner-Foster Road (Width Varies);

THENCE, along the western and northern right-of-way lines of said Winner-Foster Road the following courses and distances:

S 00° 12' 10" W, a distance of 1,613.96 feet to a point for corner;

S 00° 23' 10" W, a distance of 2,431.50 feet to a point for corner;

S 12° 46' 40" W, a distance of 62.54 feet to a point for corner;

S 02° 56' 10" W, a distance of 213.03 feet to a point for corner;

S 00° 09' 30" E, a distance of 2,657.90 feet to a point for corner;

S 00° 06' 10" W, a distance of 1,724.00 feet to a point for corner;

THENCE, S 27° 37' 18" E, a distance of 56.51 feet to a point for corner in the west line of a called 34.2634 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

THENCE, along the West and South lines of said 34.2634 acre tract the following courses and distances:

S 00° 55' 00" W, a distance of 1,406.40 feet to a point for corner;

N 89° 23' 37" E, a distance of 1,270.51 feet to a point for corner;

THENCE, S 17° 30' 13" E, a distance of 40.58 feet to a point for corner and being in the western line of a called 34.2634 acre tract described and recorded under F.B.C.C.F. No. 2009110478;

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 2.

THENCE, along the western and southern lines of said 34.2634 acre tract the following courses and distances:

S 65° 29' 00" W, a distance of 117.65 feet to a point for corner;  
S 42° 36' 00" W, a distance of 195.00 feet to a point for corner;  
S 18° 58' 00" W, a distance of 200.00 feet to a point for corner;  
S 00° 28' 00" W, a distance of 176.00 feet to a point for corner;  
S 19° 47' 00" E, a distance of 400.00 feet to a point for corner;  
S 36° 17' 00" E, a distance of 500.00 feet to a point for corner;  
S 38° 17' 00" E, a distance of 275.00 feet to a point for corner;  
S 53° 47' 00" E, a distance of 117.00 feet to a point for corner;  
S 37° 17' 00" E, a distance of 150.00 feet to a point for corner;  
S 57° 20' 00" E, a distance of 300.00 feet to a point for corner;  
S 38° 20' 00" E, a distance of 200.00 feet to a point for corner;  
S 50° 14' 00" E, a distance of 800.00 feet to a point for corner;  
S 61° 40' 00" E, a distance of 685.00 feet to a point for corner;  
S 72° 40' 00" E, a distance of 11.59 feet to a point for corner being in the West line of said 1,410.69 acre tract;

THENCE, N 00° 03' 10" E, a distance of 212.73 feet to a point for corner being in the centerline of Jones Creek;

THENCE, along the centerline of Jones Creek the following courses and distances:

S 78° 51' 08" E, a distance of 391.70 feet to a point for corner;  
N 84° 10' 17" E, a distance of 331.68 feet to a point for corner;  
N 76° 23' 23" E, a distance of 204.37 feet to a point for corner;  
N 70° 21' 24" E, a distance of 175.10 feet to a point for corner;  
N 65° 02' 57" E, a distance of 120.94 feet to a point for corner;

X:\FOSTER FARMS\LEVEE\_MUD\_CREATION\_1279\06\_SURVEY\04\_FINAL\SMB\5583\_61MB1.DOCX

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 3

N 73° 07' 51" E, a distance of 134.93 feet to a point for corner;  
N 40° 10' 10" E, a distance of 140.10 feet to a point for corner;  
N 29° 07' 50" E, a distance of 206.30 feet to a point for corner;  
N 36° 42' 30" E, a distance of 179.60 feet to a point for corner;  
N 46° 15' 10" E, a distance of 231.00 feet to a point for corner;  
N 57° 46' 30" E, a distance of 210.50 feet to a point for corner;  
N 60° 28' 30" E, a distance of 234.75 feet to a point for corner;  
N 63° 30' 20" E, a distance of 209.90 feet to a point for corner;  
N 75° 53' 50" E, a distance of 245.40 feet to a point for corner;  
N 84° 23' 30" E, a distance of 314.25 feet to a point for corner;  
S 87° 35' 30" E, a distance of 228.80 feet to a point for corner;  
S 78° 18' 00" E, a distance of 302.14 feet to a point for corner;  
S 71° 40' 10" E, a distance of 173.50 feet to a point for corner;  
S 79° 09' 30" E, a distance of 326.40 feet to a point for corner;  
N 79° 30' 30" E, a distance of 151.50 feet to a point for corner;  
N 50° 57' 20" E, a distance of 209.40 feet to a point for corner;  
N 29° 11' 50" E, a distance of 147.40 feet to a point for corner;  
N 02° 35' 50" E, a distance of 202.20 feet to a point for corner;  
N 07° 38' 30" W, a distance of 560.65 feet to a point for corner;  
N 06° 01' 40" W, a distance of 671.97 feet to the most northerly northwest corner of the herein described tract;

THENCE, S 78° 30' 50" E, a distance of 117.07 feet to the Southwest corner of a called 0.72 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R.;

THENCE, N 11° 29' 10" E, a distance of 23.31 feet to Northwest corner of said 0.72 acre tract and being in the southern right-of-way line of F. M. 359 (100-foot wide);

x:\FOSTER FARMS\VEEVEE\_MUD\_CREATION\_1279106\_SURVEY\04\_FINALS\MB\5583\_61MB1.DOCX

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 4

THENCE, along the southern right-of-way lines of said F. M. 359 the following courses and distances;

S 69° 55' 20" E, a distance of 1,402.20 feet to the point of curvature of a curve to the right;

In an Southeasterly direction along said curve to the right, a distance of 92.41 feet, having a radius of 3,770.00 feet, a central angle of 01° 24' 16" and a chord which bears S 69° 13' 12" E, 92.41 feet to the most easterly Northeast corner of the herein described tract and being the Northwest corner of a called 26.00 acre tract described and recorded under F.B.C.C.F. No. 9725249;

THENCE, S 00° 39' 06" E, a distance of 4,527.65 feet along the line common to said 26.00 acre tract and said 1,410.69 acre tract to a point being in the southern right-of-way line of Beadle Drive (80-foot wide)

THENCE, S 00° 40' 10" E, a distance of 222.50 feet to a point for corner;

THENCE, S 88° 36' 40" E, a distance of 331.42 feet to a point for corner being in the West line of a called 174.27 acre tract described and recorded in Volume 495, Page 841 of the F.B.C.D.R.;

THENCE, along the East lines of said 1,410.69 acre tract and the West lines of said 174.27 acre tract and a called 6.5331 acre tract described and recorded under F.B.C.C.F. No. 9818471 and a called 3.6430 acre tract described and recorded under F.B.C.C.F. No. 9812369 also a called 194.2072 acre tract described and recorded under F.B.C.C.F. No. 2001015964 the following courses and distances;

S 00° 06' 00" E, a distance of 8,803.69 feet to a point for corner;

S 03° 02' 20" W, a distance of 1,460.00 feet to the Southeast corner of the herein described tract and the Northwest corner of a called 132 acres described and recorded under F.B.C.C.F. No. 9465434;

THENCE, along the southern lines of said 1,410.69 acre tract and the northern lines of Evans Road (40-foot wide) the following courses and distances;

S 70° 59' 40" W, a distance of 193.60 feet to a point for corner;

S 83° 22' 20" W, a distance of 94.60 feet to a point for corner;

N 78° 41' 00" W, a distance of 123.30 feet to a point for corner;

N 70° 30' 40" W, a distance of 196.30 feet to a point for corner;

N 60° 46' 40" W, a distance of 134.40 feet to a point for corner;

N 54° 14' 30" W, a distance of 2,586.55 feet to a point for corner;

N 60° 10' 20" W, a distance of 167.80 feet to a point for corner;

N 64° 29' 30" W, a distance of 1,714.80 feet to a point for corner;

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 5

THENCE, S 16° 49' 30" W, a distance of 40.16 feet over said Evans Road to the Northeast corner of a called 16.3 acre tract described and recorded in Volume 362, Page 549 of the F.B.C.D.R. also the Northwest corner of a called 30 acre tract described and recorded under F.B.C.C.E. No. 2002110527;

THENCE, S 00° 20' 00" W, a distance of 1,525.20 feet along the line common to said 16.3 acre tract and said 30 acre tract to a point for corner on the northern high bank of the Brazos River;

THENCE along the northern high bank of the Brazos River the following twenty-four (24) courses and distances:

- N 59° 41' 40" W, a distance of 152.20 feet to an angle point;
- N 44° 27' 50" W, a distance of 258.50 feet to an angle point;
- N 45° 43' 20" W, a distance of 328.10 feet to an angle point;
- N 21° 50' 30" W, a distance of 292.20 feet to an angle point;
- N 19° 53' 20" W, a distance of 461.00 feet to an angle point;
- N 33° 23' 30" W, a distance of 889.20 feet to an angle point;
- N 23° 21' 00" W, a distance of 381.20 feet to an angle point;
- N 33° 07' 30" W, a distance of 705.90 feet to an angle point;
- N 59° 50' 40" W, a distance of 535.00 feet to an angle point;
- N 75° 30' 40" W, a distance of 643.50 feet to an angle point;
- S 87° 13' 00" W, a distance of 259.31 feet to an angle point;
- S 68° 53' 20" W, a distance of 397.00 feet to an angle point;
- S 51° 47' 20" W, a distance of 756.00 feet to an angle point;
- S 47° 20' 20" W, a distance of 470.70 feet to an angle point;
- S 44° 25' 20" W, a distance of 240.25 feet to an angle point;
- S 13° 24' 20" W, a distance of 130.20 feet to an angle point;
- S 31° 44' 00" W, a distance of 429.30 feet to an angle point;
- S 22° 44' 00" W, a distance of 149.10 feet to an angle point;

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 6

S 29° 42' 00" W, a distance of 104.75 feet to an angle point;

S 31° 45' 20" W, a distance of 163.70 feet to an angle point;

S 27° 51' 40" W, a distance of 210.40 feet to an angle point;

S 34° 59' 10" W, a distance of 374.80 feet to an angle point;

S 27° 43' 40" W, a distance of 463.00 feet to an angle point;

N 59° 47' 10" W, a distance of 39.22 feet to a point for corner being in the East line of a called 218.562 acre tract described and recorded under F.B.C.C.F. No. 9677436;

THENCE, N 00° 28' 00" W, a distance of 5,120.00 feet along the East line of said 218.562 acre tract and the East line of a called 101.314 acre tract described and recorded under F.B.C.C.F. No. 9677438 to a point for corner;

THENCE, N 89° 52' 00" W, a distance of 1,736.82 feet along the North line of said 101.314 acre tract to an angle point;

THENCE, S 89° 59' 20" W, a distance of 1,582.72 feet to a point for corner being in the East right-of-way line of Stratmore Road (Width Varies);

THENCE, N 00° 05' 10" W, a distance of 1,682.65 feet along said East right-of-way line to a point for corner;

THENCE, N 89° 59' 10" W, a distance of 3,011.45 feet to a point for corner on the high bank of the Brazos River;

THENCE, N 31° 19' 40" W, a distance of 440.85 feet to a point for corner being in the West line of said 3,063.45 acre tract and the East line of said 1,081.9 acre tract also being the western line of said John Foster 2-1/2 League Grant and the eastern line of said Randon & Pennington League;

THENCE, along the northern high bank of the Brazos River the following sixteen (16) courses and distances:

N 61° 13' 51" W, a distance of 413.67 feet to an angle point;

N 63° 38' 25" W, a distance of 127.39 feet to an angle point;

N 69° 57' 21" W, a distance of 231.42 feet to an angle point;

N 84° 02' 56" W, a distance of 177.77 feet to an angle point;

S 81° 49' 31" W, a distance of 243.96 feet to an angle point;

F.B.C.L. ID. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 7

S 76° 50' 40" W, a distance of 262.11 feet to an angle point;  
S 83° 30' 54" W, a distance of 117.69 feet to an angle point;  
S 63° 26' 12" W, a distance of 532.25 feet to an angle point;  
S 54° 50' 09" W, a distance of 356.23 feet to an angle point;  
S 44° 22' 37" W, a distance of 544.99 feet to an angle point;  
S 28° 38' 41" W, a distance of 555.68 feet to an angle point;  
S 20° 42' 53" W, a distance of 316.44 feet to an angle point;  
S 14° 05' 57" W, a distance of 773.72 feet to an angle point;  
S 06° 56' 47" E, a distance of 674.56 feet to an angle point;  
S 00° 51' 45" E, a distance of 899.67 feet to an angle point;  
SOUTH, a distance of 583.32 feet to a point for corner;

THENCE, WEST, a distance of 830.56 feet to the Southwest corner of the herein described tract and the Southwest corner of said 1,081.9 acre tract being a interior ell corner of a called 251.075 acre tract described and recorded in Volume 671, Page 876 of the F.B.C.D.R.

THENCE, NORTH, a distance of 14,347.22 feet along the East lines of said 251.075 acre tract and a called 391.47 acre tract described and recorded in Volume 369, Page 765 of the F.B.C.D.R. also a called 514.321 acre tract described and recorded in Volume 301, Page 410 of the F.B.C.D.R. and a called 110.8 acre tract described and recorded in Volume 343, Page 276 of the F.B.C.D.R. to the Northwest corner of the herein described tract and the Northwest corner of said 1,081.9 acre tract and the Southwest corner of a called 367.199 acre tract described and recorded in Volume 422, Page 474 of the F.B.C.D.R., said point being in the centerline of Jones Creek;

THENCE, along the North lines of said 1,081.9 acre tract and the South lines of said 367.199 acre tract and with the centerline meanders of said Jones Creek the following seventeen (17) courses and distances:

S 35° 54' 45" E, a distance of 404.28 feet to an angle point;  
S 53° 07' 30" E, a distance of 178.46 feet to an angle point;  
S 71° 31' 00" E, a distance of 300.73 feet to an angle point;  
S 78° 57' 15" E, a distance of 300.54 feet to an angle point;  
S 73° 50' 05" E, a distance of 206.79 feet to an angle point;

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 8

S 87° 53' 05" E, a distance of 183.89 feet to an angle point;  
N 85° 48' 00" E, a distance of 311.23 feet to an angle point;  
N 82° 02' 35" E, a distance of 191.06 feet to an angle point;  
N 87° 46' 05" E, a distance of 300.24 feet to an angle point;  
N 84° 02' 40" E, a distance of 200.07 feet to an angle point;  
N 87° 05' 55" E, a distance of 211.83 feet to an angle point;  
N 87° 13' 25" E, a distance of 315.20 feet to an angle point;  
S 75° 09' 25" E, a distance of 348.37 feet to an angle point;  
S 52° 33' 35" E, a distance of 301.30 feet to an angle point;  
S 37° 42' 30" E, a distance of 172.73 feet to an angle point;  
S 61° 05' 10" E, a distance of 146.38 feet to an angle point;  
S 73° 10' 00" E, a distance of 269.73 feet to the Northeast corner of said 1,081.9 acre tract and the most westerly Northwest corner of said 3,063.45 acre tract;

THENCE, continuing along the meanders of said Jones Creek and with the Northwestern lines of said 3,063.45 acre tract also being the Southwestern lines of a called 208.59 acre tract described and recorded in Volume 2227, Page 2203 of the F.B.C.D.R. and a called 339.63 acre tract described and recorded in Volume 349, Page 524 of the F.B.C.D.R. the following sixteen (16) courses and distances:

S 68° 04' 50" E, a distance of 2,041.63 feet to an angle point;  
S 76° 02' 10" E, a distance of 999.67 feet to an angle point;  
S 79° 34' 20" E, a distance of 320.08 feet to an angle point;  
N 73° 55' 30" E, a distance of 196.72 feet to an angle point;  
N 52° 35' 50" E, a distance of 658.02 feet to an angle point;  
N 48° 44' 00" E, a distance of 247.46 feet to an angle point;  
SOUTH, a distance of 54.85 feet to an angle point;  
N 48° 44' 00" E, a distance of 37.99 feet to an angle point;

F.B.C.L.I.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 9

N 72° 44' 20" E, a distance of 277.48 feet to an angle point;

N 63° 43' 20" E, a distance of 114.44 feet to an angle point;

N 54° 03' 20" E, a distance of 145.76 feet to an angle point;

N 43° 36' 20" E, a distance of 706.04 feet to an angle point;

N 42° 01' 20" E, a distance of 285.46 feet to an angle point;

N 34° 49' 20" E, a distance of 345.87 feet to an angle point;

N 30° 43' 15" E, a distance of 402.71 feet to an angle point;

N 00° 06' 00" W, a distance of 80.27 feet to the most southern corner of a called 27.66 acre tract described and recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2005020109;

THENCE, along the East and North lines of said 27.66 acre tract the following seventeen (17) courses and distances:

N 28° 53' 21" E, a distance of 59.08 feet to an angle point;

N 23° 57' 27" E, a distance of 299.97 feet to an angle point;

N 16° 15' 51" E, a distance of 331.81 feet to an angle point;

N 19° 01' 38" E, a distance of 580.70 feet to an angle point;

N 44° 58' 18" E, a distance of 189.22 feet to an angle point;

N 66° 56' 01" E, a distance of 188.69 feet to an angle point;

N 77° 44' 37" E, a distance of 323.41 feet to an angle point;

N 81° 28' 55" E, a distance of 55.99 feet to an angle point;

N 12° 18' 48" W, a distance of 107.20 feet to an angle point;

N 07° 07' 38" E, a distance of 117.89 feet to an angle point;

N 15° 08' 03" W, a distance of 58.15 feet to an angle point;

N 25° 50' 24" W, a distance of 58.30 feet to an angle point;

N 34° 49' 05" W, a distance of 274.94 feet to an angle point;

F.B.C.L.D. NO. 21  
FOSTER FARMS & RIVER RANCH  
5,583.61 ACRES  
PAGE 10

N 38° 03' 02" W, a distance of 118.88 feet to an angle point;

N 16° 17' 08" W, a distance of 54.86 feet to an angle point;

N 03° 12' 23" E, a distance of 7.00 feet to an angle point;

N 86° 00' 03" W, a distance of 239.04 feet to an angle point;

N 84° 46' 54" W, a distance of 585.18 feet to the Northwest corner of said 27.66 acre tract and being in the East line of said 339.63 acre tract;

THENCE, N 00° 06' 00" W, a distance of 4,823.96 feet along the line common to said 339.63 acre tract and said 3,063.45 acre tract to the POINT OF BEGINNING and containing 5,583.61 acres of land.

Bearing orientation is based on the west line of the called 3,063.45 acre tract described as First Tract in the deed recorded in Volume 362, Page 549 of the Fort Bend County Deed Records and called to be South.

This metes and bounds description was prepared under 22 Texas Annotated Code 663.21 and reflects the assembly of instruments of record to describe the political boundary limits shown hereon and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Dated this the 25th day of February, 2014.



*Larry E. Grayson*  
Larry E. Grayson RPLS No. 5071  
Brown & Gay Engineers, Inc.  
10777 Westheimer Road, Suite 400  
Houston, Texas 77042  
Telephone: (281) 558-8700  
TBPLS Licensed Surveying Firm No. 10106500

Exhibit *B*

(a) No later than ninety (90) days before the issuance of bonds, the District's financial advisor shall participate in a public hearing held by the City, and shall present the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

All bonds issued by the District shall remain obligations of the District until dissolution. The District's initial bond debt maturity date will not exceed twenty-five (25) years. Once the District has established a maturity date for its bonds, the maturity date for any refunding bonds will not extend beyond the maturity date for the bonds which are being refunded, without the approval of the City. The District may not fund more than 24 months of capitalized interest in a bond issue. At least thirty (30) days before the issuance of bonds, except refunding bonds, the District's financial advisor shall certify in writing that bonds are being issued within the existing economic feasibility guidelines established by the TCEQ - whether or not the District has been approved by the TCEQ. The report, provided to the City Administrator, should also state the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

Within 30 days after the District closes the sale of a series of bonds, the District shall deliver to the City Administrator a copy of the final official statement for such series of bonds as well as any additional information requested by the City. No bonds shall be issued after notice of annexation is provided to the District by the City, unless agreed by the City.

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 Fulshear, or otherwise acquiring waterworks systems, sanitary 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 therefore, 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

### Exhibit C

(a) No later than ninety (90) days before the issuance of bonds, the District's financial advisor shall participate in a public hearing held by the City, and shall present the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

All bonds issued by the District shall remain obligations of the District until dissolution. The District's initial bond debt maturity date will not exceed twenty-five (25) years. Once the District has established a maturity date for its bonds, the maturity date for any refunding bonds will not extend beyond the maturity date for the bonds which are being refunded, without the approval of the City. The District may not fund more than 24 months of capitalized interest in a bond issue. At least thirty (30) days before the issuance of bonds, except refunding bonds, the District's financial advisor shall certify in writing that bonds are being issued within the existing economic feasibility guidelines established by the TCEQ - whether or not the District has been approved by the TCEQ. The report, provided to the City Administrator, should also state the following:

1. The amount of bonds being proposed for issuance,
2. The projects to be funded by such bonds,
3. The proposed debt service tax rate after issuance of the bonds.

Within 30 days after the District closes the sale of a series of bonds, the District shall deliver to the City Administrator a copy of the final official statement for such series of bonds as well as any additional information requested by the City.

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 Fulshear, or otherwise acquiring waterworks systems, sanitary systems, storm sewer systems, levee and 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 therefore, and to operate and maintain same. 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, other than refunding bonds, the bonds will be sold only after the taking of public bids therefore, 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 the bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given.

(b) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the City of Fulshear, or to its 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. Plans will be deemed approved if no comments are received by the City within 15 business days. 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 to the City, 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 Fulshear; and during the progress of the construction and installation of such facilities, the City, or representative thereof, may make periodic on-the-ground inspections. After construction, the District, upon request of the City, will deliver to the City a final copy of all "as-builts" and the project description in the geographic information system.

(c) The District shall provide the City Administrator of the City with reasonable notice of all meetings of its governing Board of Directors by mailing to the City Administrator a copy of each notice and agenda of each such meeting held by the District. In addition, the District shall provide the City Administrator with a certified copy of all minutes of such meetings.

(d) On an annual basis, the District shall file with the City Secretary and City Administrator of the City a copy of its annual audit report, if any, and a copy of its then current budget showing expenses, income, and revenue.

(e) The Districts all agree not to annex additional land (outside of the total approved and consented contained in the consent resolution or ordinance to which this exhibit is attached) into a District without written consent from the City.

(f) Prior approval by the City is required for all easements granted outside the boundaries of the District. (g) The developer(s) of any land located in the City's extraterritorial jurisdiction will enter into a development agreement with the City. Such development agreement shall provide that the owner or developer of land within a district that constructs public infrastructure shall pay a fee for the infrastructure plan

review and inspection fee for engineering and planning expenses related to the city's review of infrastructure plans and specifications for the district's facilities and inspection of the district's facilities when the District is created or obtains the final authority to exercise a power that the District did not have at the time of its creation and the developer constructs public infrastructure related to that power or when the District annexes new land into the District and public infrastructure improvements are constructed in the newly annexed area. The infrastructure plan review and inspection fee shall be paid each time the owner or developer of land within the District requests the City's initial acceptance of the public infrastructure located in the city limits. Additionally, such development agreement shall provide that the owner or developer shall pay a fee to the City for processing the development agreement, which fee shall be in an amount reasonably related to the expense incurred in processing the development agreement, but not less than \$10,000 and not more than \$20,000, provided that the foregoing range shall not apply if the development agreement is not processed within five (5) years of the adoption of the consent resolution or ordinance to which this exhibit is attached, and such fee shall be reasonably related to the expense incurred in processing the development agreement without limitation. Notwithstanding anything stated above, the developer(s) will not be paying twice for municipal utility district and levee improvement district review.

(h) The District shall allow the City to designate one (1) representative of the City, who shall be provided with all notices, agendas, and related items for each meeting of the District's board of directors at the same time and in the same manner as such notices, agendas, and related items are provided to the District's board of directors.