

**REVIEW BY FORT BEND COUNTY
COMMISSIONERS COURT**

**Fort Bend County
Engineering Department**
301 Jackson Suite 401
Richmond, Texas 77469
281.633.7500
Permits@fortbendcountytexas.gov

☒ Right of Way Permit
☐ Commercial Driveway Permit
Permit No: 2017-13976

Applicant: Division III Constructors Inc.

Job Location Site: 4725 Teal Bend Boulevard, Fresno, TX 77545

Bond No. 00000107 **Date of Bond:** 5/22/2017 **Amount:** \$5,000.00

The above applicant came to make use of certain Fort Bend County property subject to, "The 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, of the Minutes of the Commissioners Court of Fort Bend County, Texas, to the extent that such order is not inconsistent with Chapter 181, Vernon's Texas Statutes and Codes Annotated.

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, submit notification to Permit Administrator thru MyGovernmentOnline.org portal.
3. This permit expires one (1) year from date of permit if construction has not commenced.

On this 6th day of June, 2017, Upon Motion of Commissioner Morales, seconded by Commissioner Meyers, duly put and carried, it is ORDERED, ADJUDGED 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.

Signature

Presented to Commissioners Court and approved.

By: Charles O. Ay
County Engineer

Date Recorded 6-9-2017 Comm. Court No. 13A

N/A
By: _____
Drainage District Engineer/Manager

Clerk of Commissioners Court

By: Arinda Willis
Deputy



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

**Fort Bend County
Engineering Department**
301 Jackson Suite 401
Richmond, Texas 77469
281.633.7500
Permits@fortbendcountytexas.gov

- ☒ **Right of Way Permit**
☐ **Commercial Driveway Permit**

Permit No: 2017-13976

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.

(1) COMPLETE APPLICATION FORM:

- ☒ a. Name of road, street, and/or drainage ditch affected.
☒ b. Vicinity map showing course of directions
☒ c. Plans and specifications

(2) BOND:

- ☐ County Attorney, approval when applicable.
- ☐ Perpetual bond currently posted. Bond No: _____ Amount: _____
- ☒ Performance bond submitted. Bond No: XXXXXXXXXX Amount: \$5,000.00
- ☐ Cashier's Check Check No: _____ Amount: _____

(3) DRAINAGE DISTRICT APPROVAL (WHEN APPLICABLE):

Drainage District Approval

Date

We have reviewed this project and agree it meets minimum requirements.

Charley O. Ay

Permit Administrator

Date

47

5 PGS
BOND

2017063069

PERFORMANCE BOND COVERING ALL CABLE, CONDUIT AND/OR POLE LINE
ACTIVITY IN, UNDER, ACROSS OR ALONG FORT BEND COUNTY ROAD, COMMERCIAL
DRIVEWAY AND MEDIAN OPENINGS OR MODIFICATIONS

AUTHORIZED

BOND NO. [REDACTED] Effective Date: May 15, 2017

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, Division III + Constructors, Inc. whose address is P.O. Box 2548, Stafford, Tx. 77497 Texas, hereinafter called the Principal. And WESTERN SURETY COMPANY, a Corporation existing under and by virtue of the laws of the state of South Dakota and authorized to do an indemnifying business in the state of Texas, and whose principal office is located at 333 S. Wabash Ave., 41st Fl., Chicago, IL 60604, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought whining said state is David Longhouse and Whose address is 700 Pearl St., Ste. 400, Dallas, TX 75201, 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, commercial driveway and median openings or modifications 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, commercial driveway and median openings or modifications;

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, commercial driveway and median openings or modifications 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 22nd day of May, 20 17.

PRINCIPAL
Richard W. Wolfley
BYWESTERN SURETY COMPANY
SURETY

BY

Melissa G. Khan

Attorney In Fact



Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No.

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint Melissa G. Khan

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Division III + Constructors, Inc.

Obligee: Harris County MUD 401

Amount: \$1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of June 18, 2017, but until such time shall be irrevocable and in full force and effect.

In Witness Whereof Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Brufat, and its corporate seal to be sealed this 19th day of May, 2017.

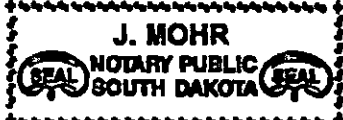


WESTERN SURETY COMPANY

Paul T. Brufat

Paul T. Brufat, Vice President

On this 19th day of May, in the year 2017, before me, a notary public, personally appeared Paul T. Brufat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



J. Mohr

Notary Public - South Dakota

My Commission Expires June 23, 2021

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 19th day of May, 2017.

WESTERN SURETY COMPANY

Paul T. Brufat

Paul T. Brufat, Vice President

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.

Figure: 28 TAC §1.601(a)(3)

IMPORTANT NOTICE

- 1 To obtain information or make a complaint:
- 2 You may contact Western Surety Company, Surety Bonding Company of America or Universal Surety of America at 605-336-0850.
- 3 You may call Western Surety Company's, Surety Bonding Company of America's or Universal Surety of America's toll-free telephone number for information or to make a complaint at:

1-800-331-6053

- 4 You may also write to Western Surety Company, Surety Bonding Company of America or Universal Surety of America at:

P.O. Box 5077
Sioux Falls, SD 57117-5077

- 5 You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

1-800-252-3439

- 6 You may write the Texas Department of Insurance:

P.O. Box 149104
Austin, TX 78714-9104
Fax: (512) 490-1007
Web: www.tdi.texas.gov
E-Mail: ConsumerProtection@tdi.texas.gov

7 PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim you should contact Western Surety Company, Surety Bonding Company of America or Universal Surety of America first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

8 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:

Puede comunicarse con Western Surety Company, Surety Bonding Company of America o Universal Surety of America al 605-336-0850.

Usted puede llamar al numero de telefono gratis de Western Surety Company's, Surety Bonding Company of America's o Universal Surety of America's para informacion o para someter una queja al:

1-800-331-6053

Usted tambien puede escribir a Western Surety Company, Surety Bonding Company of America o Universal Surety of America:

P.O. Box 5077
Sioux Falls, SD 57117-5077

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, 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) 490-1007
Web: www.tdi.texas.gov
E-Mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concierne a su prima o a un reclamo, debe comunicarse con el Western Surety Company, Surety Bonding Company of America o Universal Surety of America 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.

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Melissa G. Khan of The Woodlands,
State of Texas with limited authority, its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

CABLE, CONDUIT AND/OR POLE LINE ACTIVITY IN, UNDER, ACROSS OR ALONG COUNTY
One ROADS COUNTY OF FORT BEND

bond with bond number 00000105

for DIVISION III + CONSTRUCTORS, INC.

as Principal in the penalty amount not to exceed: \$5,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by
Vice President with the corporate seal affixed this 22nd day of May,
2017

ATTEST

A. Viator

A. Viator, Assistant Secretary

WESTERN SURETY COMPANY

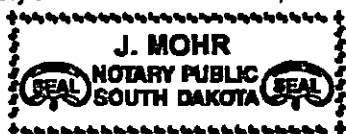
By

Paul T. Bruflat

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA } ss
COUNTY OF MINNEHAHA }

On this 22nd day of May, 2017, before me, a Notary Public, personally appeared
Paul T. Bruflat and A. Viator
who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the
voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard



Laura Richard, County Clerk
Fort Bend County, Texas

June 08, 2017 02:42:13 PM

FEE: \$0.00 SB
BOND

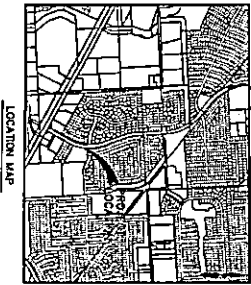
2017063069

Planning & Landscape Architecture
Sustainable Design
Community Planning
Urban Design
Landscape Architecture

L/A Engineering, Inc.
4000 Airport Blvd. Suite 100
Houston, Texas 77061-2811
Telephone: 713.641.0140

**THE CITY OF HOUSTON ETJ
FORT BEND COUNTY, TX
JOB NO. 0254-5005**

- L-1.0 OVERALL SITE PLAN
- L-1.1 STORM WATER POLLUTION PREVENTION PLAN
- L-1.2 HARDSCAPE PLAN
- L-1.3 HARDSCAPE PLAN
- L-2.1 CONSTRUCTION DETAILS - PAVING
- L-2.2 CONSTRUCTION DETAILS - DRAINAGE
- L-3.1 TRAFFIC CONTROL PLAN



FORM RE-NO. COUNTY PROJECT _____

APPROVED: Bill Stealy, Jr.
for INCORPORATING TOWNSHIP

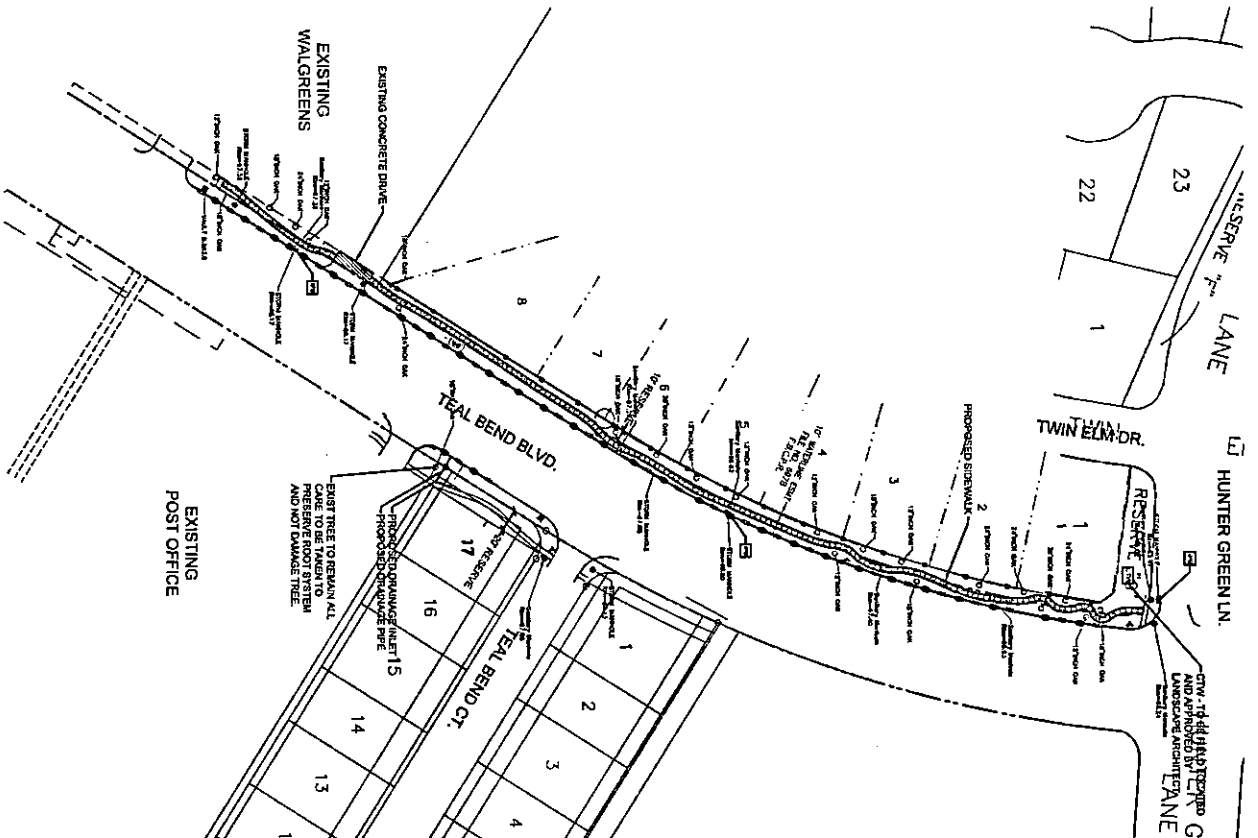
DATE: 1/23/17

THESE DOCUMENTS ARE FOR CONSTRUCTION AND
NOT COMMENCED IN THE FUTURE FOR ANY
APPROVAL.

APPROVED: Mary Jo Self
DEVELOPMENT COORDINATOR

DATE: 1/23/17

[illegible]



GRAPHIC LEGEND	CITY
PROPERTY LINE	100'
EXISTING SIDEWALK	100'
PROPOSED SIDEWALK	100'
PROPOSED DRIVEWAY	100'
PROPOSED DRIVEWAY	100'

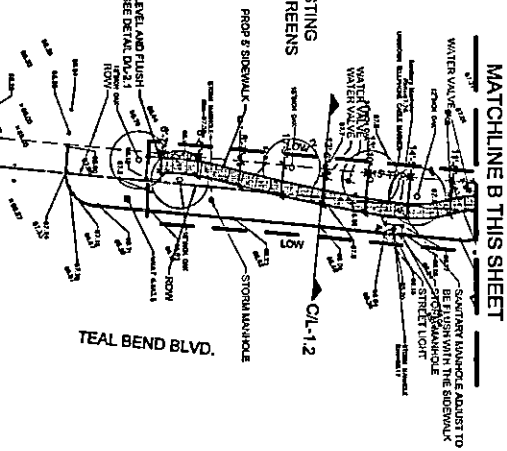
- TREE PROTECTION NOTES**
- A. Except for trees and shrubs along on the project site, all trees and shrubs within the project area shall be protected.
 - B. All trees and shrubs shall be protected by a tree protection zone (TPZ) established by the City of Houston.
 - C. The City of Houston shall not remove any tree or shrub within the TPZ without the written approval of the City of Houston.
 - D. The City of Houston shall not remove any tree or shrub within the TPZ without the written approval of the City of Houston.

APPROVED: [Signature]
 DATE: 11/23/17

PLANNING & DESIGN
 11/1
 11/1
 11/1

TEAL BEND BLVD
SIDEWALK
 HARDSCAPE DRAWINGS
 FORT BEND COUNTY BUILD. NO. 23
 THE CITY OF HOUSTON
 FORT BEND COUNTY, TEXAS

STORM WATER POLLUTION PREVENTION PLAN
L-1.1
 Project #: 0254-5005
 Date: DEC 1, 2016
 FOR REVIEW
 City of Houston
 11/1






Note:
1. CONTRACTOR TO CONFIRM THAT CONCRETE APRON CROSS SLOPE DOES NOT EXCEED 3%. IF NOT COMPLIANT, CONTRACTOR TO SAWCUT AND REPLACE APRON AS REQUIRED TO MEET 2% MAX CROSS SLOPE.

Planning & Landscape Architecture
Sustainable Design
Community Planning
Urban Design
Landscape Architecture

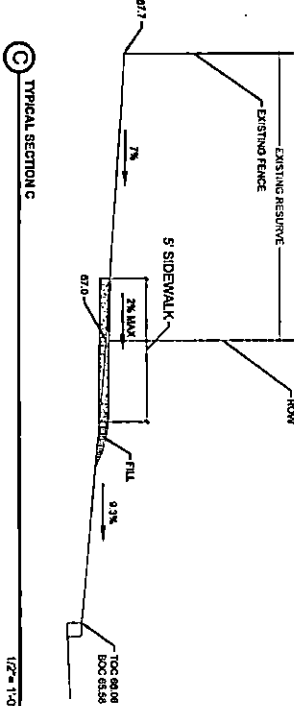
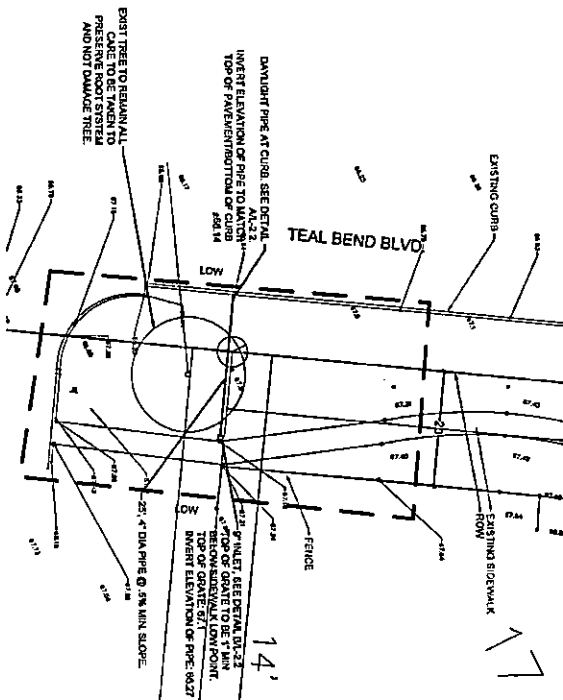
LJA Engineering, Inc.
2535 Seward - Suite 200, Austin, TX 78704
Tel: 512.476.1100 Fax: 512.476.1101
E-mail: info@ljaeng.com

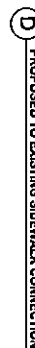
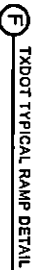
**TEAL BEND BLVD
SIDEWALK
HARDSCAPE DRAWINGS**

DATE	RESULT
	
	
Öğrenci	ÖGS
Okul	CP
	
Proje No: 0254-5005	
GÖZ GÖRÜŞÜ	

LANDSCAPE NOTES

- A. Contractor shall act in accordance with applicable local codes and ordinances and standards enforced at the time of construction.
- B. Contractor is responsible for verifying the accurate location of all existing utilities and shall notify the Landscape Architect of any discrepancies prior to construction.
- C. Contractor is responsible for verifying all utility locations and shall notify the Landscape Architect of any discrepancies prior to construction.
- D. Contractor shall not utilize any construction materials or methods that are not approved by the Landscape Architect or that may cause damage to existing structures or utilities.
- E. Contractor shall stake locations of all proposed landscape elements for approval by the Landscape Architect prior to construction.
- F. Contractor shall layout curbs, sidewalks and paths so as to make smooth and continuous transitions.
- G. Sidewalks to cross slope 0.5% min, 2% max, 5% max, slope on sidewalks.
- H. Dimensions taken from road edge are typically from back of curb to centerline of sidewalk. All dimensions shall be taken from the same point of reference. All landscape features are taken perpendicular unless otherwise noted on plans.
- I. All landscape element dimensions are to centerline of the element unless otherwise noted on the plans.
- J. The placement of all proposed landscape elements shall be verified in the field and approved by Landscape Architect.
- K. Finished grades shall be 1" below adjacent curbs, pavement, and walls.
- L. Fill and grade smooth all holes, depressions, and ruts that are not specified on plans. All areas are to be graded so as to provide positive drainage and runoff.
- M. Contractor is responsible for replacement of any existing plants that are damaged during construction, as determined by the Landscape Architect or Owner's authorized representative.
- N. Contractor shall be responsible for existing tree protection.



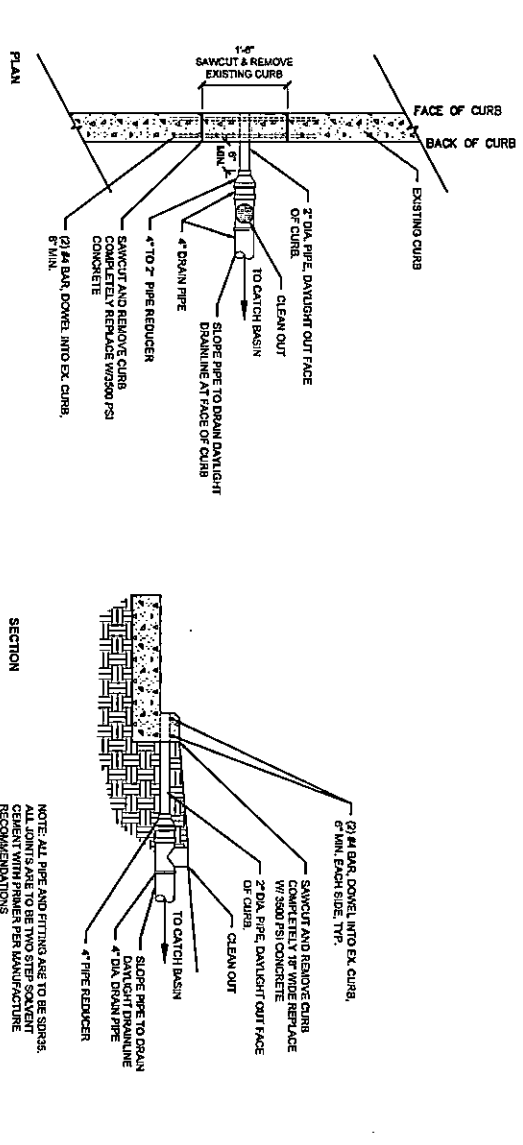
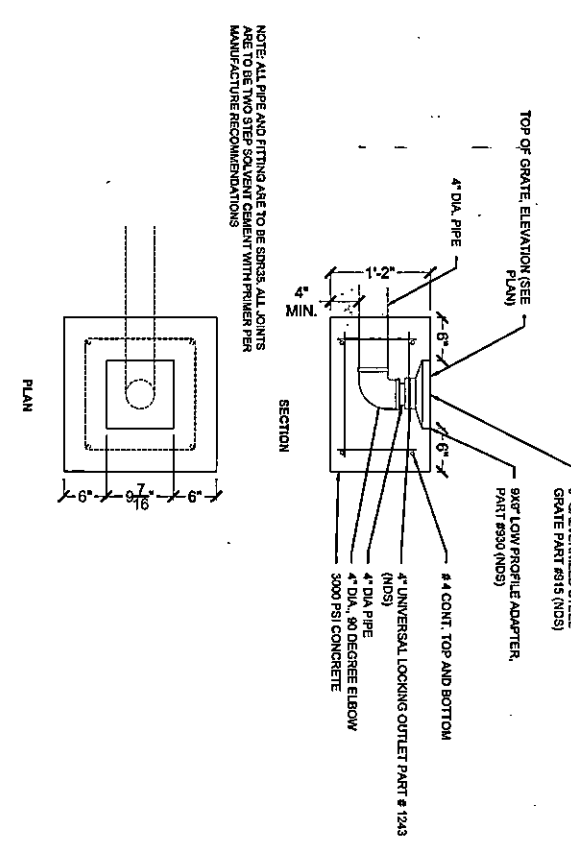


**TEAL BEND BLVD
SIDEWALK
HARDSCAPE DRAWINGS**

Project #: 0254-5005
FOR REVIEW
Date: DEC 1, 2016
Drawing Date: 12/01/2016
Drawing Title: CONSTRUCTION DETAILS
PAVING
L-2.1

C PARTS LIST

Part No.	Description	Qty	Unit	Material	Notes
1	9" GALV. STEEL GRATE PART #915 (NDS)	1	Sq. Ft.	9" GALV. STEEL	
2	9" LOW PROFILE ADAPTER, PART #930 (NDS)	1	Each	9" LOW PROFILE ADAPTER	
3	4" DIA. PIPE (NDS)	1	Linear Ft.	4" DIA. PIPE	
4	4" DIA. 90 DEGREE ELBOW (NDS)	1	Each	4" DIA. 90 DEGREE ELBOW	
5	3000 PSI CONCRETE	1	Sq. Ft.	3000 PSI CONCRETE	
6	4" DIA. PIPE (NDS)	1	Linear Ft.	4" DIA. PIPE	
7	4" DIA. 90 DEGREE ELBOW (NDS)	1	Each	4" DIA. 90 DEGREE ELBOW	
8	3000 PSI CONCRETE	1	Sq. Ft.	3000 PSI CONCRETE	
9	4" DIA. PIPE (NDS)	1	Linear Ft.	4" DIA. PIPE	
10	4" DIA. 90 DEGREE ELBOW (NDS)	1	Each	4" DIA. 90 DEGREE ELBOW	
11	3000 PSI CONCRETE	1	Sq. Ft.	3000 PSI CONCRETE	



Buffer type ^a	Length (nm)
20	40
25	60
30	80
35	100
40	120
45	140
50	160
55	180
60	200
65	220
70	240
75	260
80	280

Table 6C-2. Longitudinal Buffer Space

