

PETITION FOR CONSENT FOR THE ADDITION OF CERTAIN LAND
TO FORT BEND COUNTY ASSISTANCE DISTRICT NO. 4

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

Fort Bend County Assistance District No. 4 (the "District"), acting pursuant to the provisions of the Agreement for the Duration, Rate, and Allocation of Sales and Use Tax (the "Agreement") entered into by and between the District, Fort Bend County, Texas (the "County") and the City of Houston, Texas (the "City"), respectfully petitions the City Council of the City, for its written consent to the addition of certain land to the boundaries of the District and would show the following:

I.

The District received a Petition for Addition of Certain Land to Fort Bend County Assistance District No. 4 from Fresno Lakes, Ltd., attached hereto as Exhibit A and incorporated herein for all purposes, requesting the addition of land described therein (the "Land") to be included within the boundaries of the District.

II.

Under Section 5 of the Agreement, the City and District agreed that the District may annex additional land, that is not road right of way, will not be added or annexed to the District until the City has given its written consent by resolution or ordinance of the City Council to such addition or annexation.

III.

The County proposes to acquire and develop the Land for a public non-commercial purpose that will benefit the public (as "Public Projects"). There is an imminent need for additional resources to assist the County in the provision of services that benefit the public health or welfare within the boundaries of the District.

IV.

Local Government Code Section 387.003 (a-1) limits the District's use of the sales and use tax generated to its boundaries to: (1) the construction, maintenance, or improvement of roads or highways; (2) the provision of law enforcement and detention services; (3) the maintenance or improvement of libraries, museums, parks, or other recreational facilities; (4) the provision of services that benefit the public health or welfare, including the provision of firefighting and fire prevention services; or (5) the promotion of economic development and tourism. The District provides the County with the ability to generate the necessary local funds to construct, maintain, and improve Public Projects within the District that benefit the local area. The welfare of the present and future

inhabitants of the area and of the territories adjacent thereto require the construction, maintenance, and operation of Public Projects. A public necessity, therefore, exists for the annexation of the Land to the District, to provide for the construction, maintenance, and operation of Public Projects.

V.

The County's construction of these Public Projects prior to the City's annexation will benefit the City because (i) the City will not be required to expend the funds to construct the Public Projects; and (2) local area will be served significantly earlier than it would be if construction were deferred until the City's annexation. Therefore, if the Land is not annexed within boundaries of the District, the sales and use tax generated within the existing boundaries of the District cannot be used for the Public Projects. As the Land is proposed to be developed for public non-commercial purposes, it is highly unlikely that any sales and use tax will be generated within the Land.

VI.

The District, by submission of this Petition, requests the City's consent to the addition of certain land to the boundaries of the District and agrees that the imposition of sales and use taxes within the Land, if any, shall be governed, as with land currently within the boundaries of the District, by the terms of the Agreement.

VIII.

WHEREFORE, the District prays that this petition be heard and that the City Council duly pass and approve an ordinance or resolution granting the consent to the addition of the Land to the District and authorizing the inclusion of the Land described herein within the District.

RESPECTFULLY SUBMITTED this 6 day of April, 2021.

FORT BEND COUNTY ASSISTANCE DISTRICT NO. 4



By: _____
County Judge KP George

KP George, Director

Date: 4-6-2021

ATTEST:

By: 

Laura Richard, County Clerk



Exhibit A
Landowner's Petition

PETITION FOR ADDITION OF CERTAIN LAND TO
FORT BEND COUNTY ASSISTANCE DISTRICT NO. 4

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

TO: THE BOARD OF DIRECTORS OF FORT BEND COUNTY ASSISTANCE DISTRICT NO. 4:

Fresno Lakes, Ltd., a Texas limited partnership (the "Petitioner"), acting pursuant to the provisions of Chapter 387, Texas Local Government Code, particularly Section 387.003 (i), petitions this Honorable Board to add the land described by metes and bounds in **Exhibit A**, attached hereto and incorporated herein for all purposes, to FORT BEND COUNTY ASSISTANCE DISTRICT NO. 4 (the "District"), and in support of this petition the Petitioner represents, covenants, and agrees as follows:

Section 1: The land sought to be added to the District lies entirely within Fort Bend County, Texas, and is accurately described in Exhibit A (the "Land").

Section 2: The Petitioner holds a fee simple title to and full ownership of all the Land, as shown on the appraisal rolls of the Fort Bend County Appraisal District.

Section 3: All of the Land is within the extraterritorial jurisdiction (as such term is defined in Chapter 42, Texas Local Government Code, as amended) of the City of Houston, Texas. No part of the Land is within the limits of any incorporated city, town, or village.

Section 4: The addition of the Land to the District is feasible and practical and will be to the advantage of and a benefit to the District and the roads and other improvements of the District are sufficient or will be sufficient to supply the added Land without injuring the land already within the District.

Section 5: The Petitioner acknowledges, consents to, and affirmatively requests the assumption by the Land, and all improvements thereon presently existing or to be constructed hereafter, of a pro rata share of all present and future obligations of the District, and acknowledges that the District levies a one percent (1%) sales tax.

Section 6: The Petitioner hereby certifies that there are no qualified voters residing on the Land.

Section 7: The Petitioner hereby certifies that there are no holders of liens on the Land except.

WHEREFORE, the Petitioner prays that this Petition be granted; that the Land be added to and become a part of the District; and that this Petition, if granted, be filed for record and be recorded in the Official Public Records of Fort Bend County, Texas.

RESPECTFULLY SUBMITTED on March 16, 2021.

(PETITIONER),



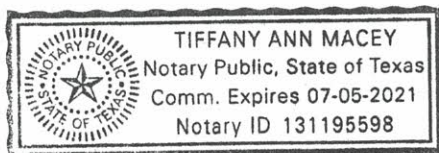
THE STATE OF TEXAS

§
§

COUNTY OF FORT BEND§

This instrument was acknowledged before me this 16 day of March, 2021, by Nino Corbett, Manager of Fresno Lakes, Ltd., a Texas limited partnership, on behalf of said partnership.

(NOTARY SEAL)




Notary Public, State of Texas

Attachment:

Exhibit A - Description of Land

EXHIBIT A

Cambridge Falls Sec 1, ACRES 1.905, Unrestricted Reserve "G"

CERTIFICATE OF AUTHORITY

I, the undersigned officer of Fresno Lakes, Ltd. (the "Company"), hereby certify that:

1. The Company is the general partner of Compass Land Development, LLC a Texas limited liability company;
2. Nino Corbett is the Manager of the Company;
3. in such capacity, he is authorized to execute any and all documents in connection with the annexation of land into Fort Bend County Assistance District No. 4 (the "District"), including, specifically, the Petition for Addition of Certain Land into the District and any certificates needed by Fort Bend County (the "Annexation Documents");
4. such execution of the Annexation Documents is duly authorized by the Company's organizational documents and by the limited partnership agreement of Fresno Lakes, Ltd., and such authorizations remained valid as of the date on which the Annexation Documents were executed.

WITNESS MY HAND, this the 16 day of March, 2021.

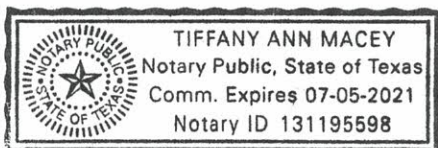
(PETITIONER)

By: _____

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND§

This instrument was acknowledged before me on the 16 day of March, 2021, by Nino Corbett, Manager of Compass Land Development, LLC, a Texas limited liability company and general partner of Fresno Lakes, Ltd., a Texas limited partnership, on behalf of said company and said partnership.

(NOTARY SEAL)



Tiffany Macey
Notary Public, State of Texas