

**NOTICE OF SPECIAL CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, MAY 3, 2010

6:00 P.M.

Notice is hereby given of a Special meeting of the Tomball City Council, to be held on Monday, May 3, 2010 at 6:00 p.m., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Workshop Session

2.1 The City Council will enter into a Workshop Session, for the following purpose:

- Discussion regarding the Klein Independent School District's request for the Extension of Utility Services

3.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 30th day of April 2010 by 4:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer
City Secretary, TRMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Special City Council Agenda Item Data Sheet

Meeting Date: May 3, 2010**Topic:**

The City Council will enter into a Workshop Session, for the following purpose:

- Discussion regarding the Klein Independent School District's request for the Extension of Utility Services

Background:

This workshop is to present the results of the impact study Council requested regarding Klein ISD's request for utility services.

Origination:**Recommendation:****Funding:**

Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Klein ISD Impact Study

KISD Annexation Memo

MEMORANDUM

DATE : March 30, 2010
TO : City Council
FROM : City Staff and Dale Conger, Cobb Fendley & Assoc, Inc.
SUBJECT : Klein ISD Site Development Considerations
CFA Project No. 1012-009-00-01

03-30-10



GENERAL PROJECT DESCRIPTION

Klein Independent School District (KISD) has purchased a 160 acre tract south of FM 2920 and east of Hufsmith-Kohrville Rd east of the corporate boundary of the City of Tomball (COT). The ISD has proposed an aggressive schedule for construction of the first school facility on the site and has requested that the City provide utility services. The City Council has been asked to decide this request and related matters of possible joint participation, and as a result, they need to evaluate the relevant data that can be developed.

The following sources of information have been utilized for this preparation of this letter report:

- Infrastructure Master Plan and Impact Fee Determination 2007-2017;
- Lewis Tract Utilities Agenda Klein ISD Presentation to COT February 15, 2010;
- Request for Realignment of the Houston/Tomball ETJ Boundary for Klein ISD; and Three – School Development February 9, 2010
- Request to Negotiate Utility Services January 7, 2010.

Project Size and Development Schedule

Klein ISD proposes a campus containing an elementary school, intermediate school, and high school. The elementary is scheduled for construction immediately and the others programmed for construction 5 and 10 years into the future

1. Elementary (850 students) – Open to Students – August 2011
 - Design to be completed by February 2010 - Initiate Construction by April 2010 - Complete Construction July 2011.
 - Needs water & wastewater service – 15,000 gallons/day (Peak Volume).
 - 31.6 Living Unit Equivalents (LUEs)
 - Sanitary sewer lift station required.
 - Needs gas service – 1,000 ccf/mo; peak volume of 2,500 ccf/mo.
2. Intermediate School – 1,300 students – Open to Students 2016
 - Currently in planning stage only - Estimated date to initiate construction Winter 2015.
 - Needs water & wastewater service – 35,000 gallons/day (Peak Volume).
 - 48.4 LUEs

- Waterline to be looped.
 - Sanitary sewer lift station required.
 - Needs gas service – 1,800 ccf/mo; peak volume 2,700 ccf/mo.
3. High School – 3,500 students– Open to Students 2019
- Currently in planning stage only - Estimated date to initiate design Spring 2016 - Estimated date to initiate construction – Fall 2017.
 - Needs water & wastewater service – 60,000 gallons/day Peak Volume).
 - 195.7 LUEs
 - Waterline to be looped.
 - Needs gas service – 8,000 ccf/mo; peak volume 18,100 ccf/mo.

Impact Considerations

Water service demand is expressed in LUEs, which forms the basis for establishing equivalency among and within various customer classes. Each single-family home is served by a three-quarters-inch meter, which serves as the basis of connection and establishes the LUEs. Presently, the City is operating under a 370 gallons per day (GPD) demand for each LUE (reference Infrastructure Master Plan and Impact Fee Determination 2007-2017). The Master Plan reviewed total capital costs, equating cost per LUE for water and wastewater. City of Tomball, Ordinance No. 2009-12, amending section 156 Schedule of Maximum Capital Recovery Fees of Chapter 82, establishes said fees per LUE.

The Master Plan determined a maximum allowable impact fee based on projected land use, projected population growth, and system improvements. Based on Ordinance 2009-12, impact fees were established at a rate less than the maximum capital recovery cost determined under the Master Plan. A summary of the maximum impact fee per LUE and the results of Ordinance 2009-12 are summarized as follows:

Facility	Maximum Allowable Fee (Per Master Plan)	Ordinance 2009-12			
		Effective: 6/1/2009	Effective: 6/1/2010	Effective: 6/1/2011	Effective: 6/1/2012
Water	\$2,000.54	\$1,162.98	\$1,218.36	\$1,273.74	\$1,329.12
Sanitary	\$4,523.54	\$1,446.57	\$1,515.46	\$1,584.34	\$1,653.23
Total	\$6,524.08	\$2,609.55	\$2,733.82	\$2,858.08	\$2,982.35

Texas Local Government Code (LGC) Section 395.022(b) demonstrated that the legislative intent was to exempt a school district from the payment of mandatory impact fees to a political subdivision under Chapter 395 unless the district's board of trustees enters into a contract with political subdivision to pay the fee. This issue has been cited in an effort to identify the cost differences and comparisons between the facilities (water and wastewater connection) cost, Master Plan maximum allowable fee, and the 2009-12 adopted impact fees. Calculations for each are provided for each of the three school facilities. It should be noted that should the City elect to provide utilities, there is very discernable infrastructure system impact that may not be available to the planned development community.

1. Utilities

a. Elementary School

Based on 850 students, the KISD elementary school will need approximately 13,000 gallons of wastewater and 17,000 gallons of water per day. It will cost

the City of Tomball \$2,158 per wastewater and \$1,195 per water connection in plant expansions to service this school, amounting to \$87,000 and \$48,000 for wastewater treatment facilities and water production facilities respectively by July 2011. Impacts to the operating costs of the plants are not included. In addition, KISD consultants have indicated that a sanitary sewer lift station will be required. Ownership, operation, and maintenance responsibility of the lift station should be a part of the final agreement between the City and KISD.

Based on the City's criteria and policy (attached, June 16, 2009 Living Unit Equivalent (LUE) Calculation for Development) for determining water service demand, the Elementary School was determined to require 31.6 LUEs. An Elementary School summary of the maximum impact fee for 31.6 LUEs based on the Master Plan and Ordinance 2009-12 is as follows:

Facility	Plant Expansion Cost (Only)	LUEs	Maximum Allowable Fee (Per Master Plan) LUEs x Fee	Ordinance 2009-12			
				Effective: 6/1/2009	Effective: 6/1/2010	Effective: 6/1/2011	Effective: 6/1/2012
Water	\$48,000	31.6	\$63,217.06	\$36,750.17	\$38,500.18	\$40,250.18	\$42,000.19
Sanitary	\$87,000	31.6	\$142,943.86	\$45,711.61	\$47,888.54	\$50,065.14	\$52,242.07
Total	\$135,000	31.6	\$206,160.93	\$82,461.78	\$86,388.71	\$90,315.33	\$94,242.26

b. Intermediate School

The proposed KISD intermediate school will house 1,300 students requiring 19,500 gallons of wastewater and 26,000 gallons of water per day. KISD requested a peak volume of 35,000 gallons per day for water and sanitary sewer service for this school, which is greater than our calculations. Our calculated amount shows that it will cost the City of Tomball \$134,000 for wastewater treatment facilities and \$74,000 for water production facilities by the year 2016. KISD consultants have indicated that a sanitary sewer lift station will be required. Ownership, operation, and maintenance responsibility of the lift station should be a part of the final agreement between the City and KISD.

The Intermediate School summary of the maximum impact fee for 48.4 LUEs based on the Master Plan and Ordinance 2009-12 is as follows:

Facility	Plant Expansion Cost (Only)	LUEs	Maximum Allowable Fee (Per Master Plan) LUEs x Fee	Ordinance 2009-12			
				Effective: 6/1/2009	Effective: 6/1/2010	Effective: 6/1/2011	Effective: 6/1/2012
Water	\$74,000	48.4	\$96,826.14	\$56,288.23	\$58,968.62	\$61,649.02	\$64,329.41
Sanitary	\$134,000	48.4	\$218,939.34	\$70,013.99	\$73,348.26	\$76,682.06	\$80,016.33
Total	\$208,000	48.4	\$315,765.47	\$126,302.22	\$132,316.89	\$138,331.07	\$144,345.74

c. High School

The estimated 3,500 students to attend the proposed KISD high school will generate the need for approximately 52,500 gallons of wastewater and 70,000 gallons of water per day. It will cost the City of Tomball \$360,000 for

wastewater treatment facilities and \$199,000 for future water production facilities by the year 2019.

The High School summary of the maximum impact fee for 195.7 LUEs based on the Master Plan and Ordinance 2009-12 is as follows:

Facility	Plant Expansion Cost (Only)	LUEs	Maximum Allowable Fee (Per Master Plan) LUEs x Fee	Ordinance 2009-12			
				Effective: 6/1/2009	Effective: 6/1/2010	Effective: 6/1/2011	Effective: 6/1/2012
Water	\$199,000	195.7	\$391,505.68	\$227,595.19	\$238,433.05	\$249,270.92	\$260,108.78
Sanitary	\$360,000	195.7	\$885,256.78	\$283,093.75	\$296,575.52	\$310,055.34	\$323,537.11
Total	\$559,000	195.7	\$1,276,762.46	\$510,688.94	\$535,008.57	\$559,326.26	\$583,645.90

d. Utilities Advantages/Disadvantages

Based on the City's Master Plan, population projects are expected to grow within the City Extraterritorial Jurisdiction (ETJ) from a 2007 population of approximately 14,000 to over 26,000 by the year 2017, which represents an 85% increase. However, Tomball's historical trend in population has been in the 2-3% range. Currently the City is comprised of approximately 7,400 acres and another 5,900 acres within the City's ETJ, for a total of over 13,000 acres. To meet the growth needs, capital cost will need to be expended by the City to expand the water and wastewater facilities.

The South Wastewater Treatment Plant is presently operating at approximately 54% capacity. Based on projected population growth and resulting wastewater demands, expansion of the plant is expected within the next two to three years. The Master Plan identifies a plant expansion cost of \$11.25 million. Plant design initiation is required when plant capacity reaches 75%, per Texas Commission on Environmental Quality (TCEQ). When plant flows reach 90% capacity, plant expansion construction must commence.

Based on present conditions and assuming the successful completion of Wells No. 5 and 6, currently under construction, the City's water system exceeds TCEQ requirements. Water plants have been located centrally and to the west of Tomball. Future development on the eastside of Tomball the system pressures may have to be addressed with a new well and/or elevated storage tank on the eastside of Tomball. Based on projected population growth and water demands through 2017 the following additional capacities are listed as follows:

Component	Additional Capacity Proposed	Cost
Wells (gpm)	5,000	\$6,250,000
Firm Booster Capacity (gpm)	7,000	\$700,000
Elevated Storage (Gallons)	500,000	\$1,250,000
Ground Storage (Gallons)	800,000	\$700,000
TOTAL		\$8,900,000

As noted system expansion costs are projected to be significant and orders of magnitude of facility cost were included along with projected timelines.

Should City Council agree to provide utilities to KISD, it is recommended that KISD be responsible for all facility expansion cost, including easement acquisition, engineering, and construction cost.

2. Traffic and Roadway Alignments

a. Previous Studies

The City has proposed and studied the completion of Medical Complex Drive as an east-west corridor to alleviate traffic on FM 2920. In the Preliminary Engineering Report for Medical Complex Drive Expansion, submitted to the City of Tomball in March of 2009, the east-west roadway was broken into five segments. Segment 5 is the most easterly segment, approximately 1.19 miles long. It extends from Hufsmith-Kohrville Road to FM 2920 running south of Mahaffey Road until aligning with Mahaffey at FM 2920. This alignment, called Alternative 1 in this report, was the recommended alignment for connecting to FM 2920 prior to presentation of KISD's construction plan. An alternate alignment, approximately 1.2 miles long for this same segment, was developed during the preliminary stage, but not included in the PER recommendations. It extends from Hufsmith-Kohrville Road to FM 2920, connecting to FM 2920 at Stuebner Airline Drive. This alternative, called Alternative 2, fronts the KISD property for 2,500 feet from where it crosses Mahaffey Road. Because of its proximity to the KISD schools, Alternative 2 should now be a considered alternative for Medical Complex Drive Segment 5 (See Exhibit 1).

b. Traffic

With the construction of the KISD schools, the surrounding area will experience a significant increase in traffic at peak hours. The facilities can be expected to generate the following trips per school day:

- Elementary 4,500 trips per school day
- Intermediate 1,800 trips per school day
- High School 6,000 trips per school day

Existing conditions present FM 2920 as the primary major thoroughfare approach to the school grounds, with Hufsmith-Kohrville being the secondary. All proposed elementary school traffic will have to access Mahaffey Road from one of two un-signalized intersections (at FM 2920 or Hufsmith-Kohrville). The proposed high school will also heavily utilize Hufsmith-Kohrville for access, and a future signal will likely be needed at the Mahaffey Road and Hufsmith-Kohrville intersection, aggravating the existing traffic situation on that roadway.

Providing an additional thoroughfare, a more direct route and direct entry points to the schools would enhance area mobility, and relieve traffic congestion. Constructing the 2,500 foot portion of Alternative 2 adjoining the school property would benefit the KISD schools by providing direct access from a cross-town major thoroughfare and full signalized access from FM 2920.

c. Right of Way (ROW) Considerations

Alternative 1's alignment was originally selected because it utilizes existing roadway ROW and minimizes owner disruption, as well as uses a route

already designated as a major thoroughfare on the Houston Major Thoroughfare Map. This alternative takes advantage of Mahaffey Road's existing ROW for a 1,400 ft long portion of the proposed alignment. Alternative 2's alignment was developed in order to connect to the existing signalized intersection of Stuebner Airline Drive and FM 2920. It was originally discounted due to the presence of an existing commercial business that would be impacted, but with the clear advantages this alignment presents to the school, alternatives for offsetting ROW costs should be addressed. To acquire this one property and compensate for relocation, it is estimated to cost \$4 million. To construct the segment of Alternative 2 from Mahaffey Road to FM 2920, three other acquisitions are needed; two are owned by KISD (see Exhibit 2). With Klein ISD contributing the sections on their site, and the purchase of the remaining parcel, the ROW for the segment from Mahaffey Road to FM 2920 would cost the \$4 million to acquire the business.

The County's design standards would be followed along either alignment. The City's proposed roadway was to use a 120 ft wide right of way. This feature would provide for fifteen feet of space behind the curb, instead of the usual ten feet, to allow for larger driveway radii to help traffic flow, to provide space for both sidewalks and some landscaping, and to also allow a slightly larger median area that would be very useful if the road were ever widened to six lanes. The County cannot purchase 100 foot rights of way without special designations. So, for the wider section to apply in this area, the City would need to do the acquisition. The County has also indicated in discussions that they are very interested in the revised Alternative 2 alignment, but they could not participate in relocating the business that is located at the current Stuebner-Airline intersection.

d. Roadway

Nearly half a mile of the Alternative 2 proposed roadway between Mahaffey Road and FM 2920 is adjacent to the KISD property. Because of the aggressive construction schedule for the schools, it would be advantageous to KISD if this segment were constructed at an earlier date than the rest of Alternative 2. An option for reducing roadway design and construction costs for Alternative 2 would be to share these costs with KISD for the approximate 2,500 linear foot of roadway fronting the school properties. If KISD undertakes or accelerates construction of this Alternative 2 portion by the beginning of the intermediate school construction, City funds could be directed to the right of way cost. In the Preliminary Study, the roadway costs (excluding drainage) were projected to be \$365 per linear foot. Thus, the approximate cost of roadway construction for this 2,500 ft segment of Alternative 2 is \$912,500. The total cost of the original Segment 5, including utilities was estimated to cost \$7.983 million.

The roadway in this section will at least initially be under the ownership and jurisdiction of Harris County, as the area is not within the limits of the City of Tomball. Were the City to annex this area, the ownership could transfer to the City, or it could remain with the County. It would be a matter to work out with the County at the time of annexation. The County currently owns and maintains a number of major roadways within the city limits.

3. Drainage

- a. The KISD school grounds require storm water detention as well as an offsite drainage outfall. Since these drainage facilities must be constructed anyway, the KISD offsite detention and outfalls should be designed and constructed to accommodate the future Medical Complex Drive. As mentioned for roadway construction, an option for funding drainage design and construction for Alternative 2 would be to share drainage cost with KISD for the approximate 2,500 foot of roadway fronting the school properties. The Preliminary Study presented total drainage costs for storm sewers, detention ponds, and outfalls equal to \$375 per linear foot of roadway. Therefore, the Alternative 2 segment from Mahaffey Road to FM 2920 would cost approximately \$937,500 for drainage facilities, design and construction. By taking the lead on this work, KISD would allow the City to provide more funds for right of way costs.

The design criteria for drainage facilities will be in the favor of KISD if the land is annexed into the City. The City is still using detention pond sizing criteria of 0.55 ac-ft per acre of development. Harris County has revised their criteria for many conditions to higher figures, ranging up to 1.0 ac-ft per acre in cases with less than ideal outfalls. Drainage design for the school tract will be challenging, and this factor could work to the school's advantage.

4. Additional Considerations

- a. ETJ Limits and Transfers

The existing Tomball-Houston ETJ line bisects the KISD property. Development complications arising from satisfying two jurisdictions with differing development rules may create a need to adjust ETJ limits. Houston has indicated a willingness to transfer the property to Tomball, not unexpected since the property is tax-exempt. To make the boundary more recognizable and to help compensate the City of Tomball for the large tax exempt entity, it would be desirable to propose that the boundary be shifted to follow the existing alignment of Mahaffey and FM 2920. To release the ETJ, to the City of Tomball, KISD will need to provide a petition requesting release of the ETJ from the City of Houston with a legal description of the portion of the tract that is located within the City of Houston's ETJ. If KISD voluntarily requests annexation, the City may proceed with annexation of the property.

Though doing so does not immediately benefit the City of Tomball since the properties will be ETJ, not annexed into the City, it does allow for eventual annexation and extension of city services into that area. Suggested expansion limits are shown in Exhibit 3. Mahaffey Road and FM 2920 produce a clearly defined ETJ limit.

- b. Zoning Considerations

According to the City's adopted Comprehensive Plan, the City should expand its corporate limits in a prudent manner while considering the long and short term impacts each annexation will have on the City's infrastructure. Annexing property within the City's ETJ, where appropriate, will ensure that the community's physical growth and development is managed in an effective

and fiscally responsible manner. The City's Comprehensive Plan identified the eastern corridor as a high priority annexation area because of the anticipated growth along the FM 2978/Hufsmith-Kohrville corridor. It identified this area as an opportunity for employment-generating land uses such as Commercial, Business/Industrial, and Mixed Use. Should the City determine that it is in its best interest to annex the subject property, it is recommended that a concurrent zoning of the property to a designation that is consistent with the Comprehensive Plan's Potential Future Land Use Pattern Map be considered. The map identifies the area within the general vicinity of the subject property as Business/Industrial which would indicate that the LI-Light Industrial zoning district may be appropriate for this site. Zoning the property in a manner consistent with the Comprehensive Plan would ensure that future uses of the site are compatible with the City's long range plan should the school district relocate at some point in the future. Public schools are permitted by right within any zoning district and are required to adhere to the development standards set forth in the Zoning Ordinance with regard to setbacks, height, parking, landscaping, lot coverage, etc.

c. Public Works – Solid Waste Considerations

- ETJ - If the site is serviced by the city while in the ETJ solid waste services may be required to be provided by the City contractor.
- Annexed - If the site is annexed the site will be required to have the solid waste services provided by the City of Tomball's contractor.

d. Building Department Considerations

If the new school development remains in the ETJ but receives services from the City of Tomball for water, sewer, and gas then the City Building Official shall require all plumbing work during and continuously after to be permitted through the City of Tomball and inspected by the City of Tomball. Also all sign permitting is required through the City of Tomball for the ETJ and within the City limits.

e. Fire Marshal Office Considerations

In regards to the request for the use of City of Tomball water for fire protection for the location of the proposed Klein ISD school building(s) at the southeast corner of Hufsmith-Kohrville at FM 2920, the following requirements will asked to be met. Although this property may remain in Harris County, the Tomball Fire Department is the primary responding fire department and continuity should be kept with other City standards.

- All fire water lines are to be metered with an appropriate size meter.
- All underground water lines shall be permitted to the Tomball Fire Marshal's Office for approval.
- All underground fire water lines shall be inspected and tested according to TFMO standards.
- On-site fire hydrants shall be installed in accordance to City of Tomball specifications.
- All ground-based fire protection appurtenances; such as FDC, control valves, vaults, backflow preventers, shall be installed according to TFMO specifications.

If it is the decision that annexation of this property is allowed then the underground fire water lines shall not need to be metered. All permits for this project shall be obtained prior to the commencement of any construction of underground fire water lines. All installations shall be in accordance with NFPA and local standards.

f. Important Cost Considerations

Table 1: Summary of Cost

ITEM	UNIT COST	QUANTITY	COST		
			ALTERNATIVE 1	ALTERNATIVE 2	CONTRIBUTION FROM KISD
ROADWAY	\$365 PER LINEAR FOOT	2500 LF	\$ 912,500.00	\$ 912,500.00	\$ 912,500.00
DRAINAGE	\$375 PER LINEAR FOOT	2500 LF	\$ 937,500.00	\$ 937,500.00	\$ 937,500.00
WATER	\$1,195 PER ESFC	269 ESFC	\$ 199,087.00	\$ 199,087.00	N/A
WASTEWATER	\$2,158 PER ESFC	270 ESFC	\$ 359,522.80	\$ 359,522.80	N/A
RIGHT OF WAY	\$2.25 PER SQUARE FOOT	300,000 SQ FT	\$ 475,305.00	\$4,557,172.70	\$ 557,172.70
TOTAL COST			\$ 2,883,914.80	\$ 6,965,782.50	\$ 2,407,172.70

Table 2: Cost Comparison

COMPARISON OF ALTERNATIVE 1 & 2		
	ALTERNATIVE 1	ALTERNATIVE 2
	\$ 2,883,914.80	\$6,965,782.50
SAVINGS FROM KISD CONTRIBUTION	\$0.00	\$2,407,172.70
TOTAL	\$ 2,883,914.80	\$ 4,558,609.80

Memo prepared in conjunction with:





EXHIBIT 1: ALIGNMENTS FOR ALTERNATIVE 1 AND 2 IN VICINITY OF KISD SCHOOLS

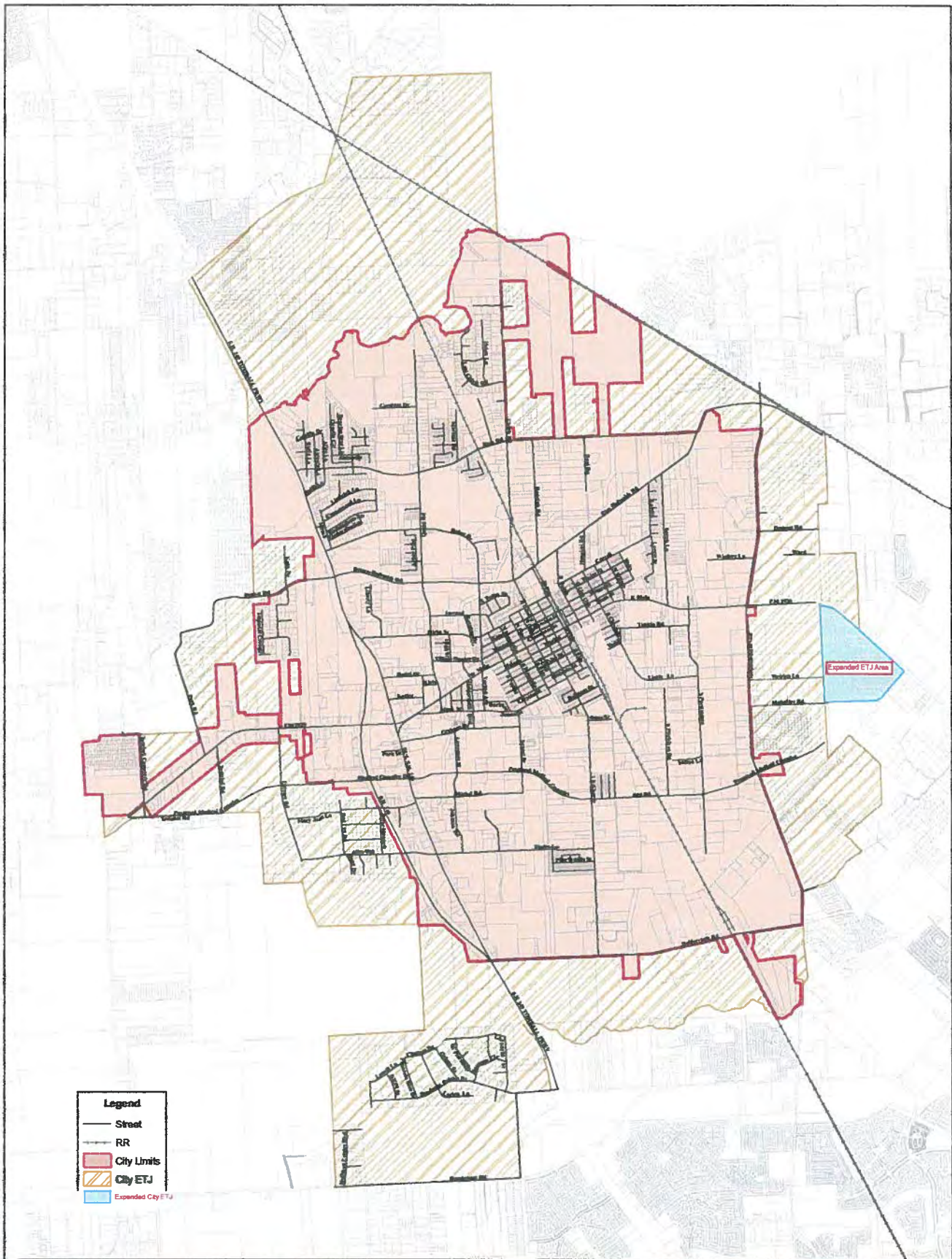
Klein ISD Site Development Considerations

CFA Project No. 1012-009-00-01



EXHIBT 2: ROW ACQUISITION FOR ALTERNATIVE 2
Klein ISD Site Development Considerations
CFA Project No. 1012-009-00-01

City of Tomball



Engineering & Planning
800.455.5555
Tomball, TX 77375

Disclaimer:
The City of Tomball assumes no responsibility
for any errors which might have occurred.
Any use made thereof is the responsibility of the user.

This map has been prepared in the coordinate system of
Zone 16N AD 83, Texas State Plane, U.S. Feet, GCS.
Source: Layers contains data from HCAI, Harris Co.,
Data Compiled by: Dallas McManis 1/1/2009



0 1,000 2,000 4,000 6,000 8,000
Feet

Scale = 1:4000

**Lewis Tract Utilities Agenda
Klein ISD
Presentation to City of Tomball
February 15, 2010**

1. Introduction

- Klein ISD
- Jones & Carter, Inc.
- American Engineering Surveys

2. Lewis Tract Master Plan (Exhibit "C")

- Location
- School District Boundary
- Tract Size – 160 acres +/-
- Site Development Phases:
 - a. Elementary (850 students) – opens 2011.
 - b. Intermediate (1,300 students) – opens 2016
 - c. High School (3,500 students) – opens 2019

3. Elementary School – 850 students

- Matrix/Spencer Architects/Brooks & Sparks Engineers
- Development in district requiring accelerated school development.
- In Design – design to be completed by February 2010.
- Initiate Construction – April 2010
- Complete Construction – July 2011
- Open to Students – August 2011
- Access from Mahaffey Road; access is part of master plan
- Onsite stormwater detention
- Turn lanes on Mahaffey Road added w/elementary school construction.
- Needs water & sanitary sewer service – 15,000 gallons/day (Peak Volume).
- Sanitary sewer lift station required to serve school.
- Needs gas service – 1,000 ccf/mo; peak volume of 2,500 ccf/mo.

4. Intermediate School – 1,300 students

- Planning stage only.
- Estimated date to initiate design – Summer 2014
- Estimated date to initiate construction – Winter 2015
- Open to students – August 2016
- Combined access from FM 2920 & Mahaffey Road; access is part of master plan.
- Needs water & sanitary sewer service – 35,000 gallons/day (Peak Volume). Waterline to be looped.
- Sanitary sewer lift station required to serve school.
- Needs gas service – 1,800 ccf/mo; peak volume 2,700 ccf/mo.

5. High School – 3,500 students

- Planning stage only.
- Estimated date to initiate design – Spring 2016
- Estimated date to initiate construction – Fall 2017
- Open to students – August 2019
- Combined access from Hufsmith-Kohrville, FM 2920 & Mahaffey Road; access is part of master plan
- Needs water & sanitary sewer service – 60,000 gallons/day Peak Volume). Waterline to be looped.
- Needs gas service – 8,000 ccf/mo; peak volume 18,100 ccf/mo.

6. Outfall Drainage

- Offsite drainage outfall required.
- Stormwater detention – onsite/offsite
- KISD willing to consider combining drainage efforts w/HC & Tomball for offsite improvements.

7. Streets & Thoroughfares

- Hufsmith-Kohrville Road – comply w/HC/Tomball requirements as part of high school development.
- Weirich Road – comply w/HC/Tomball requirements as part of high school development.

8. Request for Water, Sanitary Sewer & Gas Service

- KISD - designs/constructs public utility extensions at their cost in phases to serve schools.
- KISD - acquires public utility easements to place the utilities.
- KISD - designs/constructs to Tomball utility standards.
- KISD - requests Tomball accepts public utilities for operation, maintenance & ownership.
- KISD – building & utility plans to be reviewed/approved by Tomball.
- KISD contractor – permit/inspect utilities through Tomball.
- KISD – complies with fire code requirements.

9. Assistance Requested.

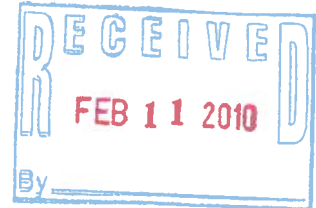
- Expedited evaluation/discussion/decision regarding utility commitment.
- Expedited decision regarding whether site must be annexed or discussion regarding adjustment of ETJ line.
- Assistance with Zoning Commission as the site may require a zoning change.
- Expedited assistance for construction plan approval and issuance of permits. Possibly allow phased plan approval & permit issuance.
- Expedited discussion/decision regarding possible joint financial assistance in funding offsite drainage outfall south of Mahaffey Road.



Klein Independent School District

Facility & School Services
7200 Spring-Cypress Road
Klein, Texas 77379-3215

February 9, 2010



Mr. Mark McClure, P.E.
Director of Engineering & Planning
City of Tomball
501 James Street
Tomball, Texas 77375

Re: Request for Realignment of the Houston/Tomball ETJ Boundary
For Klein ISD Three-School Development

Dear Mr. McClure:

Klein Independent School District (Klein ISD) is the owner of a 157.9509 acre tract currently situated in both the City of Tomball and the City of Houston Extraterritorial Jurisdictions (ETJ). The area split between the two ETJs is approximately 64% Tomball and 36% Houston. Klein ISD plans to develop said 157.9509 acre tract for the installation of a high school, an intermediate school, and an elementary school, together with various shared athletic facilities. To help facilitate and expedite the initial development of the property, Klein ISD is requesting that the City of Houston release its portion of the Klein ISD 157.9509 acre tract. Said City of Houston ETJ portion proposed for release is 57.5563 acres. From preliminary contact with the City of Houston Department of Planning & Development, Klein ISD has been advised that the City of Houston would be agreeable to said contingent release, providing that the City of Tomball be agreeable in accepting said 57.5563 acres into the City of Tomball ETJ, and provide a letter from the City of Tomball to the City of Houston acknowledging said contingent acceptance. In reliance upon said advice from the City of Houston, the Klein Independent School District hereby requests that the City of Tomball consider and approve this request to accept 57.5563 acres into its Extraterritorial Jurisdiction, upon release of same by the City of Houston.

Please be advised that Klein ISD is currently in final stages of design for said initial development of 19.0042 acres as Klein ISD Elementary School No. 28. Klein ISD has urgent need for this school to be open for the Fall 2011 Semester (August 2011). We request your co-operation in the expedition of this project for approval.

Robert N. Robertson • Associate Superintendent • rrobertson1@kleinisd.net
832.249.4620 • <http://www.kleinisd.net> • Fax: 832.249.4028

Mr. Mark McClure
February 9, 2010
Page 2

Attached is a map of proposed area for ETJ acceptance, together with a real property description of same, and of the overall Klein ISD 157.9509 acres. Also attached is a copy of a City of Houston Department of Planning & Development email transmission in response to request at a preliminary meeting of January 20, 2010. If you need additional information in support of this request, please advise.

Respectfully yours,



Robert N. Robertson

Enclosures

Trigg Lupher

From: Ostlind, Jennifer - PD [Jennifer.Ostlind@cityofhouston.net]
Sent: Thursday, January 21, 2010 8:54 AM
To: 'tlupher@american-lupher.com'; 'Blue, Don'; 'Ed Shackelford'; 'William Park'; 'Robertson, Robert 1'; radamchak@matrixspencer.com; 'Lee G. Lupher, RPLS'
Cc: Ramagos, Landell - PD
Subject: Klein ISD New School Tract in Houston AND Tomball ETJs

Trigg,

Regarding the Tomball/Houston ETJ boundary, we would likely be ok with moving the line to the eastern edges of the Klein property. The process for doing this is...

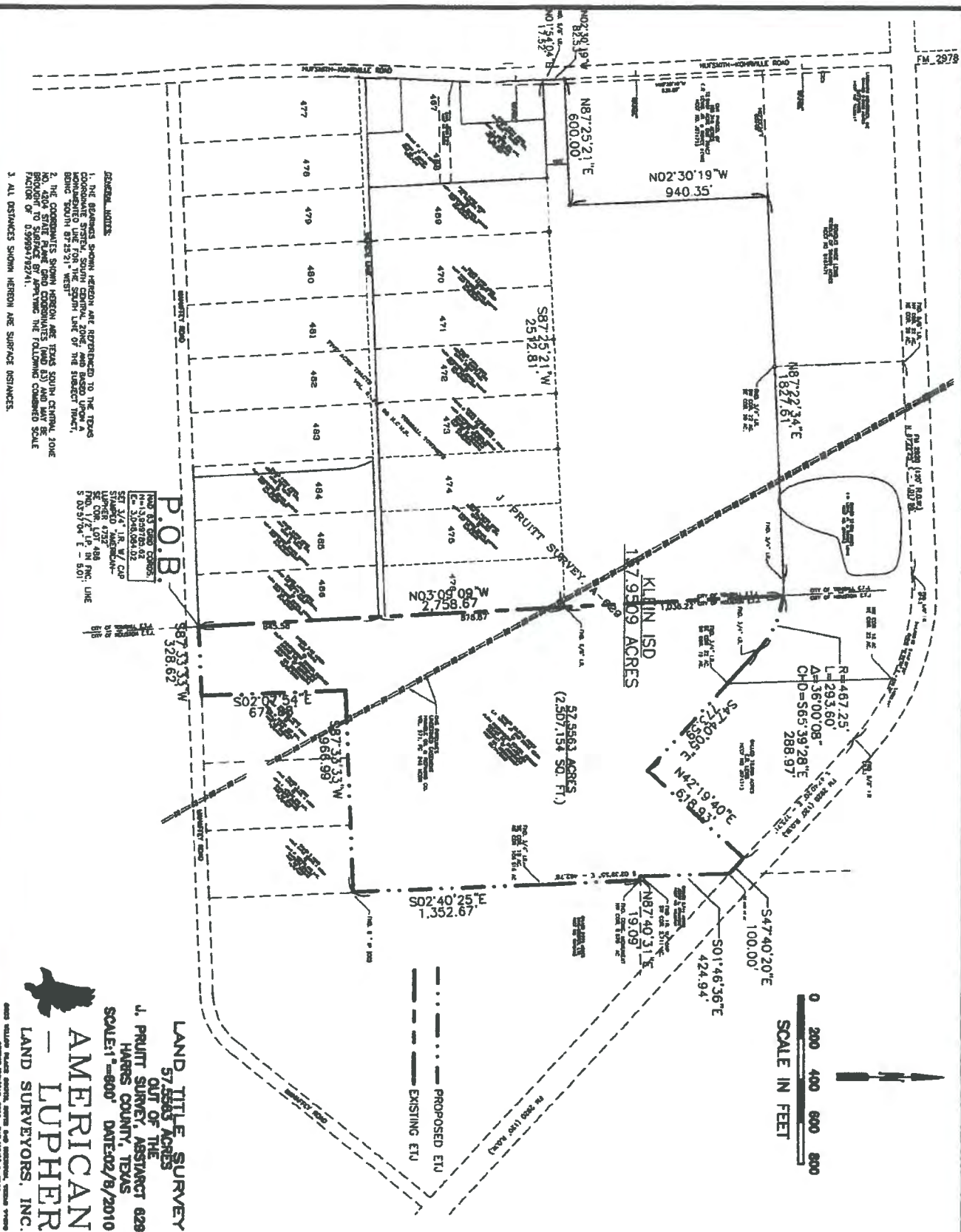
1. Submit a request in writing to Marlene Gafick, Planning and Development Department Director
2. Include a map of the parcel and current boundary lines with street names (for orientation purposes)
3. Include letter from City of Tomball confirming their willingness to accept the additional acreage into their ETJ.
4. Letter should include acreage of the site, state that the entire parcel is under one ownership and that the City of Tomball is willing to accept the parcel into it's ETJ
5. Copy letter to Nicole Smothers in the Planning and Development Department

Nicole Smothers will review/process your request. She says it would take a couple months. You may contact her directly with questions at 713-837-7856 or nicole.smothers@cityofhouston.net

In the mean time, our GIS folks should be able resolve the inconsistent boundary line in a couple days.

Jennifer Ostlind
713-837-7871

I COUNT. YOU COUNT. WE ALL COUNT. HoustonCounts.org



LAND TITLE SURVEY
57,583 ACRES
OUT OF THE
J. PRUITT SURVEY, ASSISTANT 628
HARRIS COUNTY, TEXAS
SCALE: 1"=800' DATE: 02/6/2010

**AMERICAN
— LUPHER
LAND SURVEYORS, INC.**

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REAL PROPERTY DESCRIPTION

A tract of land containing **157.9509 Acres** situated in the Jesse Pruitt Survey, Abstract 629, Harris County, Texas, and out of that 4.9722 acre tract from M.E. Robinson, JR. to Klein Independent School District by deed recorded under HCCF No. 20070170534, that called 9.9537 acre tract from Erie Beth Gjerdevig Greer to Klein Independent School District by deed recorded under HCCF No. 20070113205, that called 4.9816 acre tract from Kenneth J. Tyssen and wife, Bonnie Brown Tyssen to Klein Independent School District by deed recorded under HCCF No. 20070113204, that called 14.6952 acre tract from Peter Hollech and wife, Terri Hollech to Klein Independent School District by deed recorded under HCCF No. 20060169396, that called 4.0594 acre tract from Leroy W. Young and wife, Joyce M. Young to Klein Independent School District by deed recorded under HCCF No. 20070248797, that called 4.9878 acre tract from John W. Young and wife, Carol D. Young to Klein Independent School District by deed recorded under HCCF No. 20070225568, that called 4.7726 acre tract from Ruby Leigh Koenig and husband, James A. Koenig to Klein Independent School District by deed recorded under HCCF No. 20070234990, that called 5.03 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20090109516, that called 4.9848 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20090015673, that called 93.3743 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20080355024 and that that called 5.9162 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20070588696, said 157. 9509 acre tract being more particularly described by metes and bounds as follows with all bearings being referenced to the Texas Coordinate System, South Central Zone, the coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Coordinates (NAD 83) and may be brought to surface by applying the following Combined Scale Factor of 0.99994792741:

BEGINNING (X= 3,045,479.17, Y= 13,961,392.39) at a 5/8-inch iron rod found for the most westerly southwest corner of said 93.3743 acre tract, same point being situated in the north line of Lot 467 of the Five Acre Tracts Tomball Townsite, Volume 2, Page 65 of the Harris County Map Records and the east line of Hufsmith-Kohrville Road, width varies;

THENCE North 01°54'04" East, departing the south line of said 93.3743 acre tract, along the east line of said Hufsmith-Kohrville Road and west line of said 93.3743 acre tract, a distance of 17.52 feet to a 5/8-inch iron rod found for an angle point in the east line of said Hufsmith-Kohrville Road;

THENCE North 2°30'19" West, continuing along the east line of said Hufsmith-Kohrville Road, a distance of 82.53 feet to a 3/4-inch iron rod with "AMERICAN-LUPHER 4752" cap set for the southwest corner of a 12.9491 acre out parcel from said 93.3743 acre tract;

THENCE North 87°25'21" East, departing the east line of said Hufsmith-Kohrville Road, along the south line of said 12.9491 acre out parcel, a distance of 600.00 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER 4752" set for an interior corner in the subject tract, same point being the southeast corner of said 12.9491 acre out parcel;

THENCE North 02°30'19" West, along the east line of said 12.9491 acre out parcel, a distance of 940.35 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER 4752" set for the northwest corner of the subject tract, same point being situated in the common line between said 93.3743 acre tract and that called

20.000 acre tract conveyed to Douglas Wade Lewis, recorded by deed under HCCF No. U167471, same point also being the northeast corner of said 12.9491 acre out parcel;

THENCE North $87^{\circ}22'34''$ East, departing the east line of said 12.9491 acre out parcel, along said common line between said 93.3743 acre tract and said 20.000 acre tract, at 808.10 feet passing a 3/4-inch iron rod found for the southwest corner of that called 22.000 acre tract conveyed to E. R. Lewis, Jr. & Royce Lewis, recorded by deed under HCCF No. J974713, and continuing for a total overall distance of 1,827.61 feet to a 3/4-inch iron rod found for the point of curvature of a curve to the right;

THENCE in a southeast direction along the arc of said curve to the right, same being the common line between said 93.3743 acres and said 22.000 acre tract, having a radius of 467.45 feet, a central angle of $44^{\circ}51'54''$, whose chord bears S $70^{\circ}05'50''$ E – 356.75 feet, an arc length of 366.03 feet to a 3/4-inch iron rod found for the point of tangency;

THENCE South $47^{\circ}40'05''$ East, continuing along the common line between said 93.3743 acres and said 22.000 acre tract, at 210.31 feet passing a 3/4-inch iron rod found for the southwest corner of that called 18.000 acre tract conveyed to E.R. Lewis by deed recorded under HCCF No. J974713, and continuing for a total overall distance of 773.59 feet to 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the southwest corner of said 5.9162 acre tract;

THENCE North $42^{\circ}19'40''$ East, along the west line of said 5.9162 acre tract, a distance of 618.93 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the northwest corner of said 5.9162 acre tract, same point being situated in the southwest line of FM 2920, 120 feet wide;

THENCE South $47^{\circ}40'20''$ East, departing the west line of said 5.9162 acre tract, along the common line between said 5.9162 acres and said FM 2920, a distance of 100.00 feet to a fence post found for the northeast corner of said 5.9162 acre tract;

THENCE South $01^{\circ}46'36''$ East, departing the southwesterly line of said FM 2920, along the east line of 5.9162 acre tract, a distance of 424.94 feet to an iron rod with cap found for a jog in the east line of said 5.9162 acre tract;

THENCE North $87^{\circ}40'31''$ East, along said jog in the east line of said 5.9162 acres, a distance of 19.09 feet to a concrete monument found for the east end of said jog;

THENCE South $02^{\circ}40'25''$ East, continuing along the east line of said 5.9162, at 462.67 feet passing a 3/4-inch iron rod found for the common east corner between said 5.9162 acre tract and said 18.000 acre tract, and continuing for a total overall distance of 1,352.67 feet to a 2-inch iron pipe (OD) for the southeast corner of said 93.3743 acre tract, same point being the northeast corner of that called 20 acre tract conveyed to V.F. Young and recorded by deed in Vol. 915, PG. 566 of the Harris County Deed Records (HCDR);

THENCE South $87^{\circ}33'33''$ West, along the common line between said 93.3743 acre tract and said 20 acre tract, a distance of 966.99 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER 4752" set for an interior corner of the subject tract, same point being the common north corner between said 5.03 acres to Klein Independent School District and that called 5 acre tract from Willie Maple Young a widow, to Ortha R. McCall and wife, Charlie Lynn McCall by deed recorded under HCCF No. C609490;

THENCE South 02°27'57" East, departing the south line of said 93.3743 acre tract, along the common line between said 5.03 acres and said Ortha R. McCall and wife, Charlie Lynn McCall 5 acres, a distance of 674.88 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the southern most southeast corner of the subject tract, said point being situated in the north line of Mahaffey Road, 60-feet wide;

THENCE South 87°33'33" West, departing the common line between said 5.03 acres and said Ortha R. McCall and wife, Charlie Lynn McCall 5 acres, along the common line between said 5.03 acres and said Mahaffey Road, a distance of 1,038.77 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the southern most southwest corner of the subject tract, same point being the common south corner between that said 4.0594 acre tract and that called 0.930 acre tract from Leroy W. Young and wife, Joyce M. Young to Harris County Flood Control recorded by deed under HCCF No. L648807, said point also being situated in the north line of said Mahaffey Road;

THENCE North 03°09'09" West, departing the north line of said Mahaffey Road, along the common line between said 4.0594 acre tract and said 0.930 acre tract, a distance of 725.27 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the point of curvature of a curve to the left;

THENCE in a northwesterly direction, along the common line between said 4.0594 acre tract and said 0.930 acre tract, along the arc of said curve to the left having a radius of 125.00 feet, a central angle of 18°09'53", whose chord bears N 11°24'24" W – 39.46 feet, an arc length of 39.63 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the point of tangency;

THENCE North 21°31'22" West, continuing along the common line between said 4.0594 acre tract and said 0.930 acre tract, a distance of 85.81 feet to a wood fence post at the common north corner between said 4.0594 acre tract and said 0.930 acre tract, same point also being situated in the south line of Weirich Lane, 30 feet wide, Five Acre Tract Tomball Townsite, Vol. 2, Pg. 65 H.C.M.R.;

THANCE North 87°32'31" East, departing the common line between said 4.0594 acre tract and said 0.930 acre tract, along the south line of Weirich Lane, a distance of 742.86 feet to a point for the southeast corner of Weirich Lane, same point being situated in the west line of said 93.3743 acre tract, the east line of said Five acre Tract Tomball Townsite and also being the north east corner of said 4.7726 acre tract, from same point a 1-inch iron pipe was found bearing S 84°43'34" E – 6.03 feet;

THENCE North 03°09'09" West, along the common line between said 93.3743 acre tract and said Weirich Lane, a distance of 30.07 feet to a point for the northeast corner of said Weirich Lane, same point being situated in the west line of said 93.3743 acre tract and also being the southeast corner of said 14.6952 acre tract, from same point a 5/8-inch iron rod was found bearing N 87°27'06" E – 4.61 feet;

THENCE South 87°32'31" West, departing the common line between said 93.3743 acre tract and said Weirich Lane, same being the east line of said Five Acre Tract Tomball Townsite, along the north line of said Weirich Lane, a distance of 2,045.18 feet to a point for the common south corner between said 4.9722 acre tract and that called 7.218 acre tract conveyed to Henry H. Weirich, recorded by deed under HCCF No. D714150, same point being situated in the north line of Weirich Lane, from same point a 1/2-inch iron rod was found bearing N 14°23'59" E – 1.93 feet;

THENCE North 03°09'10" West, departing the north line of said Weirich Lane, along the common line between said 4.9722 acre tract and said 7.218 acre tract, a distance of 842.54 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the northwest corner of said 4.9722 acre tract, same point being situated in the common line between said 93.3743 acre tract and said Five Acre Tract Tomball Townsite, from same point a 1/2-inch iron rod (bent) was found bearing N 07°06'52" W – 3.07 feet;

THENCE South 87°25'22" West, departing the common line between said 4.9722 acre tract and said 7.218 acre tract, along the common line between said 93.3743 acre tract and said Five Acre Tracts Tomball Townsite, a distance of 467.67 feet to the **POINT OF BEGINNING** and containing 157.9505 Acres (6,880,342 Sq. Ft.) of land, more or less.

This Real Property Description and separate drawing is based upon a Texas Society of Professional Surveyors Category 1A Condition II Land Title Survey performed under the direction of T. Trigg Lupher, RPLS, Texas Registration No. 4752 in January 2010.

AMERICAN-LUPHER LAND SURVEYORS, INC.

Klein ISD 157.9509 Acres

Total Tract

February 8, 2010

REAL PROPERTY DESCRIPTION

A tract of land containing **57.5563 Acres** situated in the Jesse Pruitt Survey, Abstract 629, Harris County, Texas, out of that certain 157.9509 acres comprised of that 4.9722 acre tract from M.E. Robinson, JR. to Klein Independent School District by deed recorded under HCCF No. 20070170534, that called 9.9537 acre tract from Erie Beth Gjerdevig Greer to Klein Independent School District by deed recorded under HCCF No. 20070113205, that called 4.9816 acre tract from Kenneth J. Tyssen and wife, Bonnie Brown Tyssen to Klein Independent School District by deed recorded under HCCF No. 20070113204, that called 14.6952 acre tract from Peter Hollech and wife, Terri Hollech to Klein Independent School District by deed recorded under HCCF No. 20060169396, that called 4.0594 acre tract from Leroy W. Young and wife, Joyce M. Young to Klein Independent School District by deed recorded under HCCF No. 20070248797, that called 4.9878 acre tract from John W. Young and wife, Carol D. Young to Klein Independent School District by deed recorded under HCCF No. 20070225568, that called 4.7726 acre tract from Ruby Leigh Koenig and husband, James A. Koenig to Klein Independent School District by deed recorded under HCCF No. 20070234990, that called 5.03 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20090109516, that called 4.9848 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20090015673, that called 93.3743 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20080355024 and that that called 5.9162 acre tract to Klein Independent School District by Abstract of Judgment recorded under HCCF No. 20070588696, said 57.5563 acre tract being more particularly described by metes and bounds as follows with all bearings being referenced to the Texas Coordinate System, South Central Zone, the coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Coordinates (NAD 83) and may be brought to surface by applying the following Combined Scale Factor of 0.99994792741:

BEGINNING (X= 3,048,084.02, Y= 13,959,785.62) at a 3/4-inch iron rod with "AMERICAN-LUPHER 4752" cap found for the southeast corner of Lot 486 of the Five Acre Tracts Tomball Townsite, Volume 2, Page 65 of the Harris County Map Records, same point being situated in the north line of Mahaffey Road, 60 feet wide, same point also being situated in the common Extraterritorial Jurisdiction (ETJ) Boundary of the City of Houston and the City of Tomball;

THENCE North 03°09'09" West, departing the north line of said Mahaffey Road and along said common ETJ Boundary, at 845.58 feet pass a 3/4-inch iron rod with "AMERICAN-LUPHER 4752" cap found for the northeast corner of said Lot 486 in the south line of Weirich Lane, 30 feet wide, at 875.56 feet pass a 5/8-inch iron rod found, in the north line of said Weirich Lane, for the southeast corner of Lot 476 of said Five Acre Tracts Tomball Townsite, at 1,722.45 feet pass a 5/8-inch iron rod found for the northeast corner of said Lot 476, and continuing for a total distance of 2,758.67 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for a point on a non-tangent curve to the right in the north line of said 157.9509 acre tract;

THENCE, departing said common ETJ Boundary and in a southeast direction along north line of said 157.9509 acre tract and the arc of said non-tangent curve to the right, having a radius of 467.25 feet, a central angle of 36°00'08", whose chord bears S 65°39'28" E – 288.97 feet, a distance of 293.60 feet to a 3/4-inch iron rod found for the point of tangency;

THENCE South 47°40'05" East, continuing along the north line of said 157.9509 acres, a distance of 773.59 feet to 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the southwest corner of said 5.9162 acre tract;

THENCE North 42°19'40" East, along the west line of said 5.9162 acre tract, a distance of 618.93 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the northwest corner of said 5.9162 acre tract, same point being situated in the southwest line of FM 2920, 120 feet wide;

THENCE South 47°40'20" East, departing the west line of said 5.9162 acre tract, along the common line between said 5.9162 acres and said FM 2920, a distance of 100.00 feet to a fence post found for the northeast corner of said 5.9162 acre tract and said 157.9509 acre tract;

THENCE South 01°46'36" East, departing the southwesterly line of said FM 2920, along the east line of 5.9162 acre tract, a distance of 424.94 feet to an iron rod with cap found for a jog in the east line of said 5.9162 acre tract and said 157.9509 acre tract;

THENCE North 87°40'31" East, along said jog in the east line of said 5.9162 acres and said 157.9509 acre tract, a distance of 19.09 feet to a concrete monument found for the east end of said jog;

THENCE South 02°40'25" East, continuing along the east line of said 5.9162 and said 157.9509 acre tract, at 462.67 feet passing a 3/4-inch iron rod found for the southeast corner of said 5.9162 acre tract, and continuing for a total overall distance of 1,352.67 feet to a 2-inch iron pipe (OD) for the most easterly southeast corner of said 157.9509 acre tract, same point being the northeast corner of that called 20 acre tract conveyed to V.F. Young and recorded by deed in Vol. 915, PG. 566 of the Harris County Deed Records (HCDR);

THENCE South 87°33'33" West, along the common line between said 157.9509 acre tract and said 20 acre tract, a distance of 966.99 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER 4752" set for an interior corner of the subject tract, same point being the common north corner between said called 5.03 acres to Klein Independent School District and that called 5 acre tract from Willie Maple Young a widow, to Ortha R. McCall and wife, Charlie Lynn McCall by deed recorded under HCCF No. C609490;

THENCE South 02°27'57" East, along the common line between said 157.9509 acres and said Ortha R. McCall and wife, Charlie Lynn McCall 5 acres, a distance of 674.88 feet to a 3/4-inch iron rod with cap stamped "AMERICAN-LUPHER" set for the southern most southeast corner of the subject tract, said point being situated in the north line of Mahaffey Road, 60-feet wide;

THENCE South 87°33'33" West, departing the common line between said 157.9509 acres and said Ortha R. McCall and wife, Charlie Lynn McCall 5 acres, along the north line of said Mahaffey Road, a distance of 328.62 feet to the POINT OF BEGINNING, and containing 57.5563 acres (2,507,154 square feet) of land, more or less.

This Real Property Description and separate drawing is based upon a Texas Society of Professional Surveyors Category 1A Condition II Land Title Survey performed under the direction of T. Trigg Lupher, RPLS, Texas Registration No. 4752 in January 2010.

AMERICAN-LUPHER LAND SURVEYORS, INC.
Houston/Tomball ETJ Boundary Realignment
57.5563 Acres
February 8, 2010



Klein Independent School District

Facility & School Services
7200 Spring-Cypress Road
Klein, Texas 77379-3215

01/11/10 Drandy,
Dispute & set up Dec
for Week 20, 2010

January 7, 2010

Mr. Mark McClure, P.E.
City Engineer
Department of Engineering and Planning
501 James Street
Tomball, Texas 77375



Re: Request to Negotiate Utility Service for 157.58-Acres
Klein Independent School District

Dear Mr. McClure:

The Klein Independent School District ("Klein") acquired 157.58- acres (the "Tract") in the vicinity of the southeast corner of FM 2920 and Hufsmith-Khorville Road for the purpose of constructing an elementary school, an intermediate school and a high school between now and 2019. Klein is currently designing the elementary school for a scheduled opening of August 2011. It is the intention of Klein to seek water and sanitary sewer service and garbage collection from the City of Tomball. Klein requests the opportunity to initiate negotiations for service including discussion of potential Capital Recovery fees and tap fees associated with constructing an elementary, intermediate and high school.

The Tract is partially located within the City of Houston and the City of Tomball Extra Territorial Jurisdiction (ETJ) in Harris County. The Tract is partially platted as Tomball Outlots, Film Code Number 002065 of the Harris County Map Records. The remainder of the Tract is not platted and consists of Tracts 2D-1, 3B, 3D-1, 4, and 5 of the J. Pruitt Survey, Abstract 629. The Tract is bounded by Farm-to-Market 2920 (FM 2920), Hufsmith-Kohrville Road, Weirich Lane, and Mahaffey Road (Key Map Page 289-E, F, K).

Klein is designing an elementary school with a capacity of 850 students for a scheduled opening of August, 2011. Subsequent plans call for an intermediate school with a capacity of 1,300 students in 2016 and a high school with a capacity of 3,500 students in 2019. In accordance with the City of Tomball's Discharge Criteria Sheet, the discharge coefficient for a high school is 0.047600 service-unit equivalents (SUE) per seat and 0.031700 SUE's per seat for a non-residential school. This is equivalent to 0.055911 living-unit-equivalents (LUE) per high school seat and 0.037235 LUE's per seat for a non-residential school. Based on this criterion, the City of Tomball can anticipate 31.6 LUE's for the elementary school, 48.4 LUE's for the intermediate school, and 195.7 LUE's for the high school.

Robert N. Robertson • Associate Superintendent • rrobertson1@kleinisd.net
832.249.4620 • <http://www.kleinisd.net> • Fax: 832.249.4028

Mr. Mark McClure
January 7, 2010
Page 2

Please contact Ed Shackelford or Bill Park of Jones-Carter, Inc. at (281) 363-4039 for additional details as necessary or you may contact me directly. Thank you for your assistance in this matter.

Sincerely,

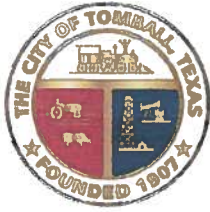


Robert N. Robertson

cc: Don Blue
Ed Shackelford

Robert N. Robertson • Associate Superintendent • rrobertson1@kleinisd.net
832.249.4520 • <http://www.kleinisd.net> • Fax: 832.249.4028





CITY OF TOMBALL

Office of the City Manager

Gretchen Fagan
Mayor

April 28, 2010

To: Mayor and City Council
City Staff

From: Shawn Cox, Assistant to the City Manager

Re: Consideration of Possible Annexation of KISD Property

The KISD Site Development Considerations memo provided by Mark McClure provides Council with the possible impacts this development will have on the City of Tomball. While the impact of annexation was mentioned in the memo, it was done so in regards to the impact on the City's infrastructure. The development of this site by KISD will impact not only the City's infrastructure, but also its departments and services. Provided below are the possible impacts staff is able to recognize.

Police:

The impact to the Police Department will be virtually the same whether we annex or not. The primary impact will be an increase in traffic.

Fire:

There is no severe impact difference for Fire if we annex or not. The area is in our service area. However, depending on the development schedule of campuses, the anticipated timeline for the building of Fire Station #3 could be pushed up. Also, Fire would ask that KISD provide traffic signals at Mahaffey and 2920 and Mahaffey and Hufsmith-Kohrville.

Building Official:

If annexed, the Building Official expects to be able to handle the additional work load with current staff and budgeted funds for the use of outside inspectors. This would include all building, electrical, plumbing, and mechanical inspections. However, if the property is not annexed, the Building Department will only be handling plumbing inspections, if the request for water is approved.

Zoning:

If annexed, the KISD property could be zoned LI-Light Industrial (as recommended in the report form Cobb-Fendley.) This would be consistent with the Comprehensive plan. The property could undergo the zoning process at the same time as the annexation process, as long as the annexation begins first. If the property is not considered for annexation the City would have control over the platting and signage requirements for the property.

If Klein ISD does seek to be annexed, the approximate timeline, once all of the required information has been submitted, is 45 to 60 days. By State law, the City has up to 90 days to complete the annexation process. If annexed, properties along KISD's boundaries, along FM 2920 and FM 2978 would become contiguous and eligible to be annexed. At this time, none of these properties are under development, or have expressed an interest in being annexed.