

**NOTICE OF REGULAR PLANNING AND ZONING COMMISSION
MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, JUNE 14, 2010

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, June 14, 2010 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission 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 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
 - Presentation of Certificate of Appreciation to Commissioner O'Donnell.
 - Election of Chair / Vice Chairman positions to be held July 12, 2010.

- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 10, 2010.
- 5.0 New Business:
- 5.1 Consideration and Possible Action Regarding Final Plat called **TOMBALL R 135**; Being a subdivision of 2.5721 acre tract, 112,042.65 Square Feet, Situated in the C. N. Pillot, Survey A-632 & Sam Lewis, Survey A-1704 Harris County, Texas, Containing 1 Lot, 1 Block.
- 5.2 Consideration and Possible Action Regarding Final Replat called **TOMBALL ISD MAINTENANCE FACILITY**; Being a subdivision of 3.994 acres out of the W. Hurd Survey, Abstract No. 371, City of Tomball, Harris County, Texas. Also being a Replat of Lots 1-12 of Block 15, Lots 1-24 of Block 16 and Lots 25-36 of Block 23 of Revised Map of Tomball, Recorded under Vol. 4, Pg. 25, H.C.M.R., 1 Block, 1 Reserve.
- 5.3 Consideration and Possible Action Regarding Preliminary Plat called **KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL SEC 3**; Being a Replat of Lots 469, 470, 471, 472, 473, 474, 475, and 476 Five acre tracts, Tomball Townsite Vol. 2, Pg. 65 H.C.M.R., A subdivision of 40.2111 acres out of the J. Pruitt Survey, Abstract No. 629, Harris County, Texas, 1 Block, 1 Reserve.
- 6.0 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 10th day of June 2010 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding 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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: June 14, 2010

Topic:

Background:

Origination:

Recommendation:

Funding:

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

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

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: June 14, 2010

Topic:

- Presentation of Certificate of Appreciation to Commissioner O'Donnell.
- Election of Chair / Vice Chairman positions to be held July 12, 2010.

Background:**Origination:****Recommendation:****Funding:****Party(ies) responsible for placing this item on agenda:**

Engineering and Planning

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

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: June 14, 2010

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 10, 2010.

Background:

Origination:

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

05.10.10 P&Z Minutes

**MINUTES OF
REGULAR PLANNING & ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, MAY 10, 2010



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Crofoot at 6:00 p.m. Other members present were:

Commissioner O'Donnell
Commissioner Wallace
Commissioner Dodson
Commissioner Mottershaw - Absent

Others present:

Director of Engineering and Planning – Mark McClure
City Planner / Community Development Coordinator – Kelly Violette
Assistant City Planner – Rodney Schmidt
Engineering & Planning Administrative Assistant – Brandy Pate

2.0 No Public Comments were received.

3.0 Motion was made by Commissioner O'Donnell to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of April 12, 2010; second by Commissioner Dodson.

Motion carried unanimously.

Discussion/Action of the Following Items:

4.0 New Business:

- 4.1 Consideration and Possible Action Regarding ZONING CASE P10-226:** Request by Pete Terpstra to amend the City's Comprehensive Zoning Ordinance to rezone approximately 5.3584 acres of land, legally described as Tract 2 out of the Sam Lewis Survey, Abstract Number 1704, within the City of Tomball, Harris County, Texas, generally located on the westerly side of State Highway 249, southerly of Alice Road, from the AG-Agricultural District to the C-Commercial District.

The Public Hearing was opened by Chairman Crofoot at 6:02 p.m.

draft

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant's Representative, John Thomas of 14340 Torrey Chase in Houston, Texas spoke on behalf of the request.

No comments were received and the Public Hearing was closed at 6:11 p.m.

Commissioner Dodson made a motion to recommend Approval of **ZONING CASE P10-226**; second by Commissioner Wallace.

Vote was as follows:

Commissioner Crofoot	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>
Commissioner Dodson	<u>Aye</u>
Commissioner O'Donnell	<u>Aye</u>
Commissioner Mottershaw	<u>Absent</u>

Motion carried 4-0.

- 4.2 Consideration and Possible Action Regarding **ZONING CASE P10-225**: Request by Pete Terpstra to amend the City's Comprehensive Zoning Ordinance to rezone approximately 6.3637 acres of land, legally described as Tracts 2B, 2Y-1, and 2Z out of the C.N. Pillot Survey, Abstract Number 632, within the City of Tomball, Harris County, Texas, generally located on the westerly side of State Highway 249, northerly of Holderrieth Road, from the AG-Agricultural District to the C-Commercial District.

The Public Hearing was opened by Chairman Crofoot at 6:12 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant's Representative, John Thomas of 14340 Torrey Chase in Houston, Texas spoke on behalf of the request.

No comments were received and the Public Hearing was closed at 6:16 p.m.

Commissioner O'Donnell made a motion to recommend Approval of **ZONING CASE P10-225**; second by Commissioner Dodson.

Vote was as follows:

Commissioner Crofoot	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>
Commissioner Dodson	<u>Aye</u>
Commissioner O'Donnell	<u>Aye</u>

Commissioner Mottershaw Absent

Motion carried 4-0.

- 4.3 Consideration and Possible Action Regarding **TOMBALL MEDICAL PLAZA FINAL PLAT:** Being a Plat of 2.8278 Acres out of Tract 13, 1.4635 Acre Tract Recorded under File No. J064863 and Tract No. 12, 1.3643 Acre Tract Recorded under File No. J089622 of the Harris County Map Records, Situated in The William Hurd Survey, Abstract 378, Harris County, Texas, 1 Block, and 1 Lot.

Mark McClure, Director of Engineering and Planning presented comment recommendations.

Commissioner Wallace made a motion to Approve **TOMBALL MEDICAL PLAZA FINAL PLAT;** with contingencies, second by Commissioner Dodson.

Motion carried unanimously.

- 4.4 Consideration and Possible Action Regarding **TOMBALL CENTER III – B2, REPLAT NO. 2:** 7.8351 Acres, Being a partial Replat of Reserves “A” & “B” of Tomball Center III – B2, Replat No. 1, Film Code Number 625078 H.C.M.R. located in the Joseph House Survey, Abstract Number 34, Harris County, Texas, 1 Block, 2 Reserves.

Mark McClure, Director of Engineering & Planning presented comment recommendations.

Commissioner Dodson made a motion to Approve **TOMBALL CENTER III – B2, REPLAT NO. 2;** second by Commissioner O'Donnell.

Motion carried unanimously.

- 5.0 Motion was made by Commissioner Wallace to adjourn; second by Commissioner O'Donnell.

Motion carried unanimously.

Meeting adjourned at 6:22 p.m.

PASSED AND APPROVED this _____ day of _____ 2010.

Brandy Pate
P&Z Commission Secretary

Tom Crofoot
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: June 14, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding Final Plat called **TOMBALL R 135**; Being a subdivision of 2.5721 acre tract, 112,042.65 Square Feet, Situated in the C. N. Pillot, Survey A-632 & Sam Lewis, Survey A-1704 Harris County, Texas, Containing 1 Lot, 1 Block.

Background:

Origination:

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

Tomball R 135 Final Plat

THE STATE OF TEXAS
COUNTY OF HARRIS

We, CMH Homes Inc., Acting By and Through David M. Booth, President and Hugh T. Statum, III, VP/Secretary, Being Officers of CMH Homes, Inc., hereinafter referred to as Owner of the 2.5721 Acre Tract described in the above and foregoing plat of Tomball R 135, do hereby make and establish of said subdivision property according to all lines, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself, my heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever and unobstructed aerial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-diameter) with culvert or bridges to be provided for all private or walkways such drainage facilities.

FURTHER, owners do hereby covenants and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the centro Tomball R 135 has caused these presents to be signed by David M. Booth, President, thereunto authorized, attested by Hugh T. Statum, III VP/ Secretary, This 24th Day of MAY, 2010.

TOMBALL R 135

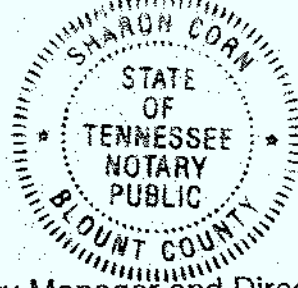
By: David M. Booth
David M. Booth, President

By: Hugh T. Statum, III
Hugh T. Statum, III
VP / Secretary

THE STATE OF TENNESSEE
COUNTY OF **BLOUNT**

Before me the undersigned authority, on this day personally appeared, David M. Booth, and Hugh T. Statum, III known to me the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein, and as the act and Deed of said Corporation.

Given under my hand and seal of office this 24th day of MAY, 2010.



Sharon Corn
Notary Public in and for the State of ~~Texas~~ **Tennessee**
My Commission expires: 11-01-11

We, the City Manager and Director of Engineering and Planning for the City of Tomball, do hereby certify that this plat complies with the City of Tomball ordinance.

Jan Belcher, City Manager

Mark McClure, Director of Engineering & Planning

This is to certify that the City accepts the Planning and Zoning Commission's authorized approval and acceptance of all dedicated public easements in conformance with the laws of the State of Texas the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

BY: _____
Gretchen Fagan, Mayor

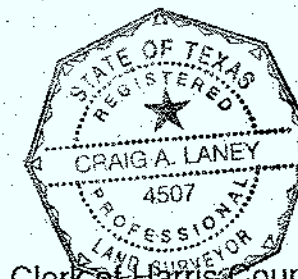
Dorris Speer, City Secretary

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas has approved this plat and subdivision of Tomball R 135 in conformance with the laws of the State of Texas and the ordinance of the City of Tomball as shown authorized the recording of this plat this _____ day of _____, 2010.

Tom Crofoot, Chairman

Lori Wallace, Vice Chairman

I, Craig A. Laney, am registered under the laws of the State of Texas to practice the profession of Surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference have been marked with iron (or suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'), and that the plat boundary corners have been tied to the nearest survey corner.



Craig A. Laney
Craig A. Laney, R.P.L.S.
Texas Registration No.4507

I, Beverly B. Kaufman, County Clerk of Harris County, do hereby certify that the within instrument with it's certificate of authentication was filed for registration in my office on _____, 2009 at _____ o'clock _____, 2010, at _____ o'clock _____, and duly recorded on _____, 2010, at _____ o'clock _____, and under film code number _____ of the map records of Harris County for said County.

Witness my hand and seal of office, at Houston, the day and date last above written.

Beverly B. Kaufman
County Clerk of
Harris County, Texas

By: _____
DEPUTY

IANCAN INVESTORS, LLC.
CALL 5.2445 AC. TRACT
AS DESCRIBED
UNDER CF #20070114155

89' EXCON PIPE LINE EASEMENT
VOL. 934, PG. 188 H.C.D.R. &
VOL. 1045, PG. 782 H.C.D.R.

ROSS LEWIS FRAPART
CALL 30.741 AC. REMAINDER
OF A CALL 124.879 AC. TRACT
AS DESCRIBED
UNDER CF #J-577630

LOT 1, BLOCK 1
2.5721 AC. TRACT
(112,042.65 SQ. FT.)

GREGORY & BEVERLY KITCHENS
CALL 1.2618 AC. TRACT
AS DESCRIBED
UNDER CF #T-027655

CALL 1.0127 AC. TRACT
AS DESCRIBED
UNDER CF #G-716425

CALL 2.8181 AC. TRACT
AS DESCRIBED
UNDER CF #S-283264

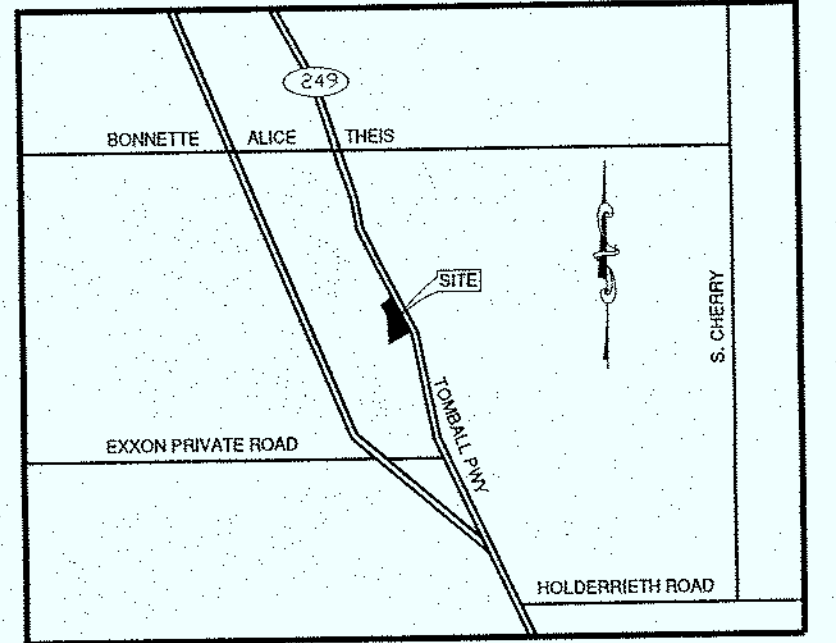
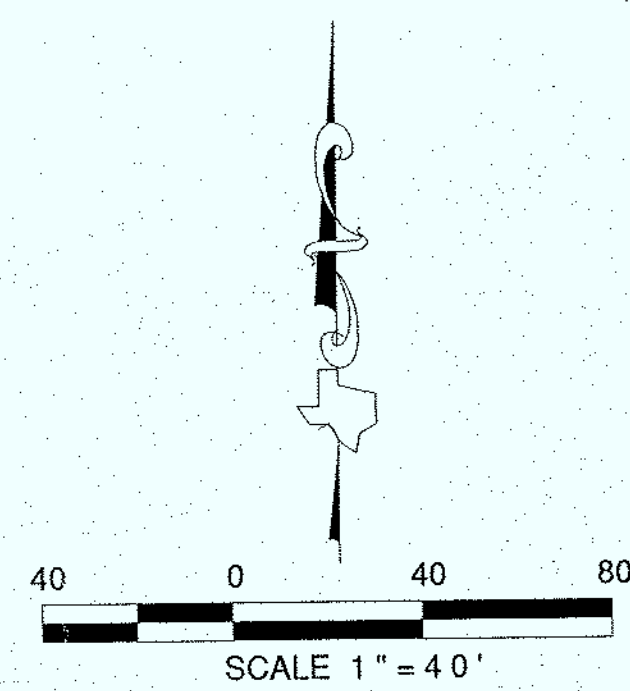
EXXON PRIVATE ROAD (VARIABLE WIDTH)
AS REFERENCED IN CF #Z-273961

PARTIAL REPLAT WAL - MART TOMBALL
CALL 36.919 ACRE TRACT
AS DESCRIBED
UNDER FC # 437056 H.C.M.R.

STATE HIGHWAY 249
(A.K.A. TOMBALL PARKWAY)
(180.00' R.O.W.)
F.C. #565291 & 437056 H.C.M.R.

TRACTOR SUPPLY TOMBALL
CALL 3.5108 ACRE (122,932.00 SQ. FT.)
AS DESCRIBED
UNDER FC #565291 H.C.M.R.

HUTSON TRACT
CALL 5.0082 ACRE (1218.08353 SQ. FT.)
AS DESCRIBED
UNDER FC # 57142 H.C.M.R.



VICINITY MAP
NOT TO SCALE
KEY MAP 288-Q

TOMBALL R 135

BEING A SUBDIVISION OF 2.5721 ACRE TRACT,
112,042.65 SQUARE FEET,
SITUATED IN THE C. N. PILLOT, SURVEY A-632
& SAM LEWIS, SURVEY A-1704
HARRIS COUNTY, TEXAS

CONTAINING
1 LOT 1 BLOCK

MARCH 2010

OWNERS

CMH HOMES, INC.

5000 CLAYTON ROAD
MARYVILLE, TN. 37804
(865) 380 - 3000

SURVEYOR

E.I.C.SURVEYING COMPANY

12345 JONES ROAD # 270
HOUSTON, TEXAS 77070
(281) 955 - 2772

GENERAL NOTES

- | | |
|-------------|--|
| 1. B.L. | Indicates " Building Line " |
| 2. U.E. | Indicates " Utility Easement " |
| 3. R.O.W. | Indicates " Right-of Way " |
| 4. Ac. | Indicates " Acre " |
| 5. Vol. | Indicates " Volume " |
| 6. Pg. | Indicates " Page " |
| 7. I.R. | Indicates " Iron Rod " |
| 8. H.C.M.R. | Indicates " Harris County Map Records " |
| 9. H.C.D.R. | Indicates " Harris County Deed Records " |
| 10. SQ.FT. | Indicates " Square Feet " |
| 11. C.F.# | Indicates " Clerk's File Number " |
| 12. FND. | Indicates " Found " |

13. Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
14. According to the FEMA Firm Panel No. 48201C0210L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
15. All oil/ gas pipelines or pipeline easements with ownership through the subdivision have been shown.
16. All oil/ gas wells with ownership (plugged, abandoned, and/ or active) through the subdivision have been shown.
17. No Building or structure shall be constructed across any pipelines, building lines, and/ or easements. Building setback lines will be required adjacent to oil/ gas pipelines. The setback at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas line.
18. This plat does not attempt to amend or remove any valid covenants or restrictions.
19. The Building Lines shown in this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Tomball Code of Ordinances at the time of the development of the property.
20. Unlocated pipeline, telegraph, telephone, and power line easement in favor of Humble Oil and Refining Company recorded in Vol. 932, Pg. 579 & Vol. 1055, Pg. 560 H.C.D.R. is not visible crossing subject tract.
21. Unlocated pipeline, telegraph, telephone, and power line easement in favor of Magnolia Pipeline Company recorded in Vol. 926, Pg. 488 H.C.D.R. and assigned to Humble Pipe Line Company in Vol. 7504, Pg. 561 H.C.D.R. not visible crossing subject tract.
22. Unlocated pipeline right-of-way easement in favor of Shell Oil Company recorded in Vol. 3431, Pg. 479 & Vol. 3431, Pg. 480 H.C.D.R. not visible crossing subject tract.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: June 14, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding Final Replat called **TOMBALL ISD MAINTENANCE FACILITY**: Being a subdivision of 3.994 acres out of the W. Hurd Survey, Abstract No. 371, City of Tomball, Harris County, Texas. Also being a Replat of Lots 1-12 of Block 15, Lots 1-24 of Block 16 and Lots 25-36 of Block 23 of Revised Map of Tomball, Recorded under Vol. 4, Pg. 25, H.C.M.R., 1 Block, 1 Reserve.

Background:

Origination:

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

Tomball ISD Maintenance Facility Replat

STATE OF TEXAS §

COUNTY OF HARRIS §

We, Tomball Independent School District, acting by and through Ken Odom, President and John E. McStravick, Secretary, being officers of Tomball Independent School District Board of Trustees, owner, hereinafter referred to as Owners of the 3994 acre tract described in the above and foregoing plat of TOMBALL ISD MAINTENANCE FACILITY, do hereby make and establish said subdivision and of said property according to all lines, dedications, restrictions and notations on said map or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (1 3/4 square feet) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

IN TESTIMONY WHEREOF, Tomball Independent School District has caused these presents to be signed by Ken Odom, President thereunto authorized, attested by John E. McStravick, Secretary, and its common seal affixed this _____ day of _____, 2010.

Tomball Independent School District

By: Ken Odom, President
Attest: John E. McStravick, Secretary

STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Ken Odom, President and John E. McStravick, Secretary known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

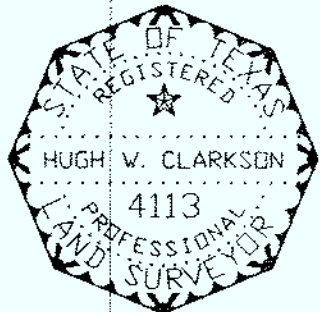
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2010.

Notary Public in and for the State of Texas

(Print Name)

My Commission Expires _____

I, Hugh W. Clarkson, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all the boundary corners, angle points and points of curvature, and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three quarters inch (3/4") and a length of not less than three (3) feet; and that the plat boundary have been tied to the nearest intersecting street.



Hugh W. Clarkson 12/31/10
Date
HUGH W. CLARKSON
Texas Registration No. 4113

This is to certify that the Planning Commission of the City of Tomball, Texas has approved this plat and subdivision of TOMBALL ISD MAINTENANCE FACILITY in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

Tom Crofoot
Chair

Lori Wallace
Vice Chairman

We, the City Manager and the Director of Engineering and Planning for the City of Tomball, do hereby certify that this plat complies with the City of Tomball ordinances.

Jan Belcher
City Manager

Mark A. McClure
Director of Engineering and Planning

This is to certify that the City accepts the Planning Commission's authorized approval and acceptance of all dedicated easements in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

Jan Belcher
City Manager

Dorris Speer
City Secretary

I, Beverly B. Kaufman, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2010, at _____ o'clock _____ M., and duly recorded on _____, 2010, at _____ o'clock _____ M., and at Film Code Number _____ of the Map Records of Harris County for said county.

WITNESS my hand and seal of office, at Houston, the day and date last above written.

Beverly B. Kaufman
County Clerk
of Harris County, Texas

By: _____
Deputy

SURVEYOR'S NOTES:

- The subject tract lies within OT/MU (Old Town & Mixed Use) and SF-6 (Single-Family 6 District) zones within the City of Tomball.
- Unless otherwise indicated, the building lines (B.L.), whether one or more, shown on this subdivision plat are established to evidence compliance with applicable provisions of Section 14-486 of the Code of Ordinances, City of Tomball, Texas, in effect at the time this plat was approved, which may be amended from time to time.
- ABBREVIATIONS:
B.L. INDICATES BUILDING LINE
F.C. INDICATES FILM CODE
FND. INDICATES FOUND
FT. INDICATES FEET
H.C.C.F. INDICATES HARRIS COUNTY CLERK'S FILE
H.C.M.R. INDICATES HARRIS COUNTY MAP RECORD
H.L. & P. INDICATES HOUSTON LIGHTING AND POWER
No. INDICATES NUMBER
Pg. INDICATES PAGE
SQ. INDICATES SQUARE
VOL. INDICATES VOLUME
- Bearings depicted hereon are based on Texas State Plane Coordinate System, South Central Zone (NAD83).
- All oil/gas pipelines or pipeline easement with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, abandoned and/or active) through the subdivision have been shown.

- According to F.I.R.M. Map No. 48201C0230L (Community-Panel No. 4803150230L), map revised date: June 18, 2007. The subject property lies within the area designated as Zone "X" unshaded determined to be outside the 0.2% annual chance floodplain.
- This statement is based on scaling the location of the subject tract on the above referenced map; this information is to determine flood insurance rates only and is not intended to identify specific flooding conditions.
- This plat does not attempt to amend or remove any valid restrictions or covenants.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setback at a minimum of fifteen (15) feet off centerline of the low pressure gas lines and thirty (30) feet of centerline of high pressure gas lines.
- Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easement for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building fences, trees, shrubs, and other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball or any public utility shall be responsible for the replacing or reimbursing the property owner due to removal or relocation of any obstruction on the public easements.

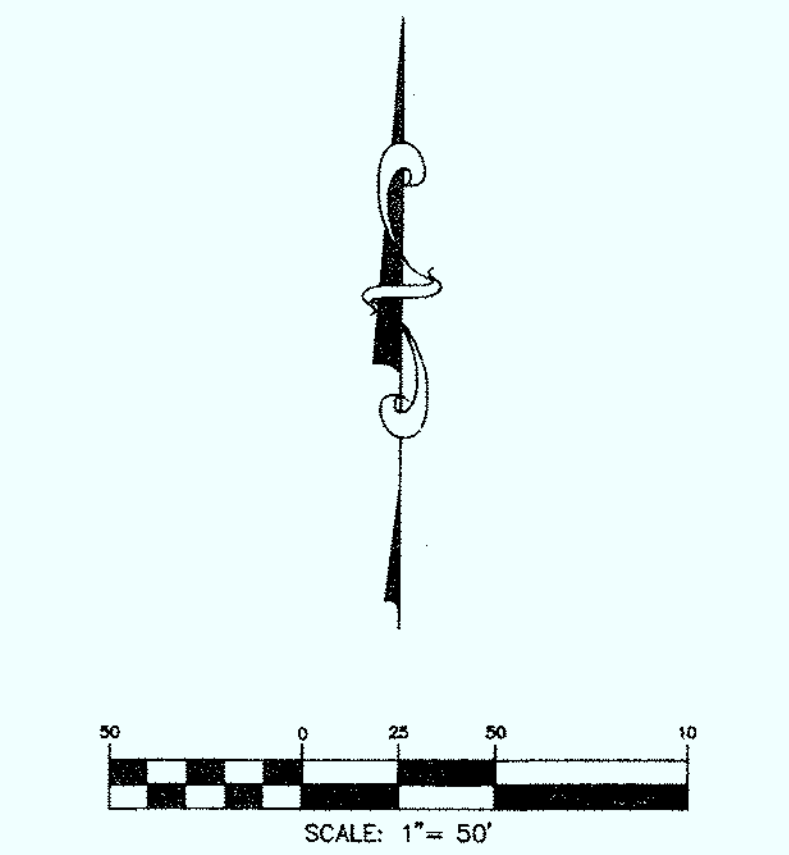
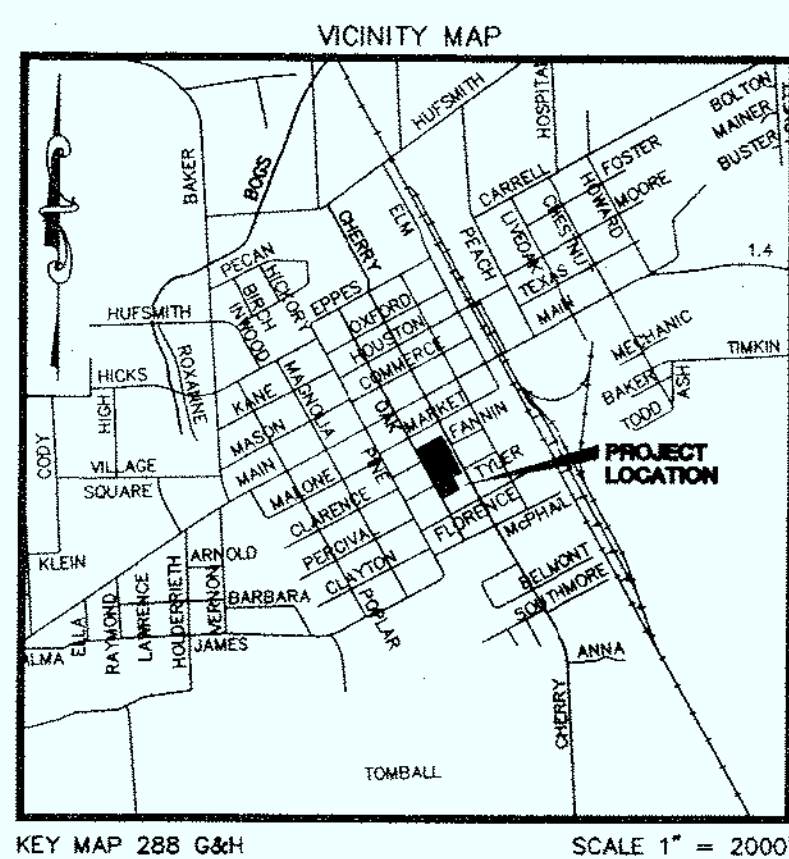
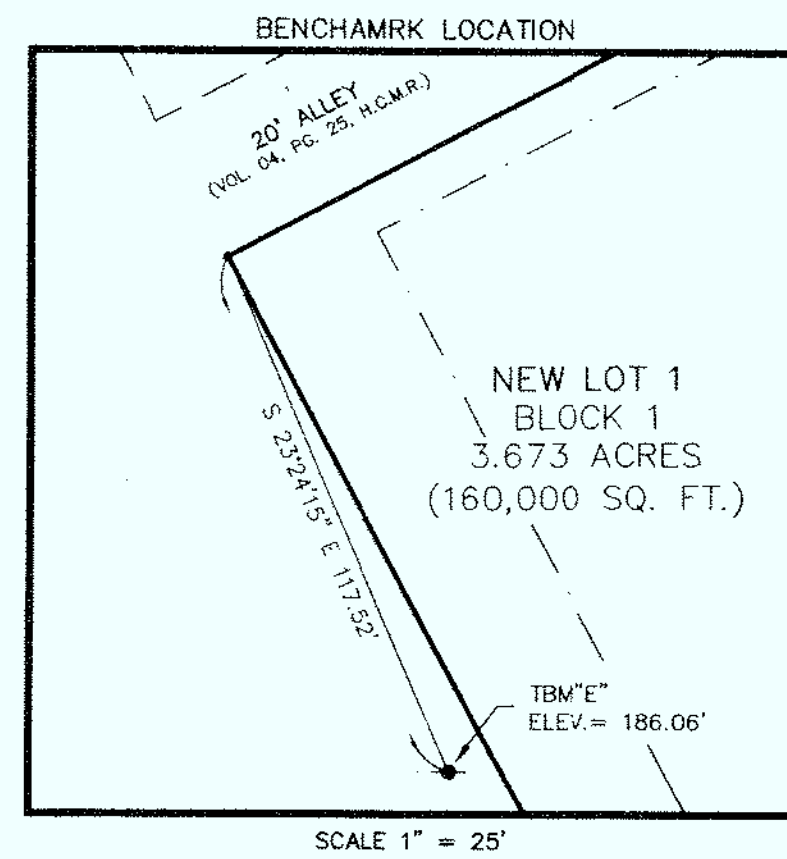
BENCHMARK NOTES:

REFERENCE BENCHMARK:

RM100370 - FLOODPLAIN REFERENCE MARK NUMBER 100370 IS A BRASS DISK STAMPED 100370 ON CONCRETE HEADWALL AT INTERSECTION OF ROXANNE AND INWOOD LOCATED ON DOWNSTREAM CONCRETE HEADWALL, NORTH OF INTERSECTION, SOUTH OF STREAM CENTERLINE IN KEY MAP 288G IN THE SPRING WATERSHED NEAR STREAM J131-00-00.
ELEVATION = 181.93'

TEMPORARY BENCHMARKS:

TBM"E" - COTTON SPINDLE WITH SHINER STAMPED "WEST BELT SURVEYING" SET IN POWER POLE LOCATED IN THE EAST RIGHT-OF-WAY OF SOUTH OAK STREET ±200' SOUTH OF THE INTERSECTION OF MARKET STREET AND SOUTH OAK STREET.
ELEVATION = 186.08'



- LEGEND:
- INDICATES A 3/4" IRON ROD FOUND WITH A ORANGE PLASTIC CAP STAMPED "WEST BELT SURVEYING, INC."
 - INDICATES A 3/4" IRON ROD FOUND
 - INDICATES A 5/8" IRON ROD FOUND

TOMBALL ISD MAINTENANCE FACILITY

BEING A SUBDIVISION OF 3.994 ACRES OUT OF THE W. HURD SURVEY, ABSTRACT NO. 371, CITY OF TOMBALL, HARRIS COUNTY, TEXAS

ALSO BEING REPLAT OF LOTS 1-12 OF BLOCK 15, LOTS 1-24 OF BLOCK 16 AND LOTS 25-36 OF BLOCK 23 OF REVISED MAP OF TOMBALL, RECORDED UNDER VOL. 4, PG. 25, H.C.M.R.

REASON FOR REPLAT: CREATE A SINGLE LOT

1 BLOCK 1 RESERVE
JUNE, 2010

WEST BELT SURVEYING, INC.

21020 PARK ROW KATY, TEXAS 77440
PHONE: (281) 590-8288 FAX: (281) 402-8028

PKK Architecture Engineering Planning Real Consulting
11 Greenway Plaza Suite 2210 Houston, Texas 77046
Telephone: (713) 965-0606 Fax: (713) 961-4571

OWNER: TOMBALL INDEPENDENT SCHOOL DISTRICT
301 SOUTH CHERRY STREET
TOMBALL, TEXAS 77375
PHONE: (281) 357-3170 FAX: (281) 825-7180

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: June 14, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding Preliminary Plat called **KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL SEC 3**: Being a Replat of Lots 469, 470, 471, 472, 473, 474, 475, and 476 Five acre tracts, Tomball Townsite Vol. 2, Pg. 65 H.C.M.R., A subdivision of 40.2111 acres out of the J. Pruitt Survey, Abstract No. 629, Harris County, Texas, 1 Block, 1 Reserve.

Background:

Origination:

Recommendation:

Funding:

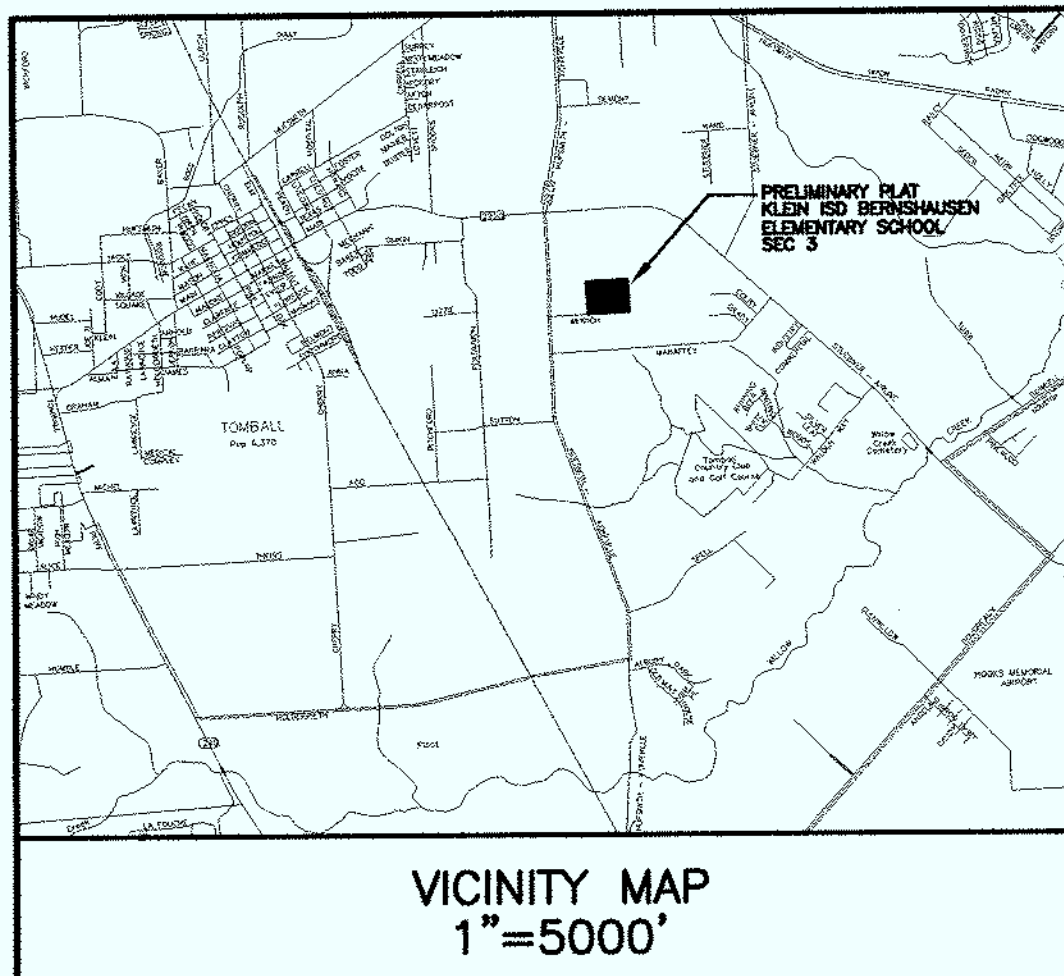
Party(ies) responsible for placing this item on agenda:

Engineering and Planning

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

ATTACHMENTS:

Klein ISD Bernshausen Elementary School Sec 3 Preliminary Plat



0 100 200 300 400

VICINITY MAP
1"=5000'

SCALE IN FEET

City of Tomball Minimum Notes:

Public Easements:

Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right of all times, of ingress and egress to and from and upon said easements for the purposes of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of removal or relocation of any obstruction in the public easement.

Flood Information:

According to FEMA Firm Panel No. 48201C0230 L (Effective Date June 16, 2007), this property is in zone "X" and is not in the 0.2% Annual Chance Flood Plain.

Note #1:

All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.

Note #2:

All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.

Note #3:

No building or structure shall be constructed across any pipelines, buildings lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setback minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.

Note #4:

This plat does not attempt to amend or remove any valid covenants or restrictions.

Note #5:

The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Tomball Code or Ordinances at the time of the development of the property.

GENERAL NOTES:

1. THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AND BASED UPON A MONUMENTED LINE FOR THE SOUTH LINE OF THE SUBJECT TRACT, BEING "SOUTH 87°25'21" WEST".
2. THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR OF 0.99994792741.
3. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.
4. © INDICATES A SET 3/4-INCH IRON ROD WITH CAP STAMPED "AMERICAN-LUPHER 4752" UNLESS OTHERWISE SHOWN.

ENCUMBRANCE NOTE

A tract of land containing 157,950.9 Acres situated in the Jesse Pruitt Survey, Abstract 629, Harris County, Texas, and out of that 4,372.2 acre tract from M.E. Robinson, JR. to Klein Independent School District by deed recorded under HCCF No. 20070170534, that called 9,953.7 acre tract from Erie Beth Gjerdevig Graer to Klein Independent School District by deed recorded under HCCF No. 20070132025, that called 4,981.6 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 14,695.2 acre tract from Peter Holecch to Klein Independent School District by deed recorded under HCCF No. 20060169396, that called 4,059.4 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 4,987.8 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 4,772.6 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 4,984.8 acre tract to Klein Independent School District by Abstract of judgment recorded under HCCF No. 20090015673, that called 93,374.3 acre tract to Klein Independent School District by Abstract of judgment recorded under HCCF No. 20080355024 and that called 5,916.2 acre tract to Klein Independent School District by Abstract of judgment recorded under HCCF No. 20070588696

I, T. Trigg Luper, do hereby certify that all existing encumbrances, such as various types of easements both public and private, fee strips, and all significant topographical features which would affect the physical development of the property illustrated on this plat are accurately identified and located and further certify that this plat represents 40,211.1 acres of 157,950.9 acres of contiguous land which the owner owns or has a legal interest in.

T. Trigg Luper, RPLS

I, Arthur L. Storey, Jr., County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage requirements.

Arthur L. Storey, Jr., P.E.
County Engineer

I, Beverly B. Kaufman, County Clerk of Harris County and ex officio clerk of the Harris County Commissioners' Court, do hereby certify that the within instrument was approved at a legally convened meeting of the Harris County Commissioners' Court held on _____, 2010, by an order entered into the minutes of the court.

Beverly B. Kaufman
County Clerk
of Harris County, Texas

By: Deputy

THE STATE OF TEXAS §

COUNTY OF HARRIS §

We, Klein Independent School District, acting by and through Steve Szymczak, President, and Larry Allen, Secretary, being officers of Klein Independent School District, owner hereinafter referred to as owners (whether one or more) of the 40,211.1 acre tract described in the above and foregoing plat of Klein ISD Bernshausen Elementary School Sec 3, do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, paths, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed serial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby dedicate to the public a strip of land fifteen feet (15') wide on each side of the center line of any and all bays, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such obstructions shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the Klein Independent School District has caused these presents to be signed by Steve Szymczak, its President, thereunto attested, attested by its Secretary, Larry Allen, and its common seal hereunto affixed this _____ day of _____, 2010.

Klein Independent School District

ATTEST:

By: _____

Larry Allen
Secretary

By: _____

Steve Szymczak
President

THE STATE OF TEXAS §

COUNTY OF HARRIS §

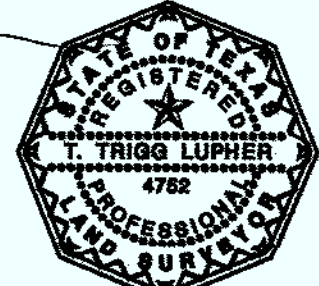
BEFORE ME, the undersigned authority, on this day personally appeared Steve Szymczak, President, and Larry Allen, Secretary, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2010.

Beverly McGlasson
Notary Public in and For the State of Texas
My Commission Expires: _____

I, T. Trigg Luper, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.

T. Trigg Luper
Texas Registration No. 4752



This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of Klein ISD Bernshausen Elementary School Sec 3 in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

By: _____

Tom Crofoot
Chairman

By: _____

Lori Wallace
Vice Chairman

This is to certify that the City Council for the City of Tomball, Texas has approved this plat and subdivision of Klein ISD Bernshausen Elementary School Sec 3 in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

By: _____

Gretchen Fagan, Mayor

By: _____

Christal Kiewer, Interim City Manager

By: _____

Mark McClure, P.E.,
Director of Engineering and Planning

I, Beverly B. Kaufman, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2010, at _____ o'clock (a.m. or p.m.), and at Film Code Number _____ of the map records of Harris County for said County.

Witness my hand and seal of office, at Harris County, Texas, the day and date last above written.

Ex Officio Clerk of Harris County, Texas

Chairman or Vice Chairman

By: _____

Deputy

KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL SEC 3

BEING A REPLAT OF LOTS 469, 470, 471, 472

473, 474, 475 AND 476

FIVE ACRE TRACTS TOMBALL TOWNSITE

VOL. 2, PG. 65 H.C.M.R.

A SUBDIVISION OF 40,211.1 ACRES

OUT OF THE

J. PRUITT SURVEY, ABSTRACT NO. 629

HARRIS COUNTY, TEXAS

1 BLOCK

SCALE: 1" = 100'

1 RESERVE

DATE: JUNE 2010

OWNER: KLEIN INDEPENDENT SCHOOL DISTRICT

DR. JIM CAIN, SUPERINTENDENT

7200 SPRING CYPRESS ROAD, KLEIN, TEXAS 77379, 832-249-4170

FUTURE
KLEIN ISD BERNSHAUSEN
ELEMENTARY SCHOOL
SEC 2



AMERICAN
— LUPHER
LAND SURVEYORS, INC.

8808 WILLOW PLAZA SOUTH, SUITE 540 HOUSTON, TEXAS 77070
OFFICE: (281) 617-0909 FAX: (281) 617-0708