

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



MONDAY, JANUARY 11, 2010

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, January 11, 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 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
 - 1st Annual Board & Commissions Sign-Up Reception, Tuesday, January 26, 2010 from 5:30 – 7:30 p.m. – Tomball Community Center, 221 Market St.

- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 14, 2009.
- 5.0 New Business:
- 5.1 Consideration and Possible Action Regarding the **PRELIMINARY PLAT OF RESERVE AT SPRING LAKE SECTION ONE**: Being 234.9393 acres, consisting of 2 Blocks, 22 Lots, and 11 Reserves, located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641, Harris County, Texas, City of Tomball, Texas.
- 5.2 Consideration and Possible Action Regarding **SHEPHERD'S PROPERTY – FINAL PLAT**: Being a 1.2612 Acre Tract Situated in the City of Tomball, Texas in the Joseph House Survey, Abstract 314, Harris County, Texas, Being Comprised of a 0.9471 Acre Tract (H.C.C.F. NO. Z-433094) and a 0.314 Acre Tract (H.C.C.F. NO. S-775139)
- 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 7th day of January 2010 by 5:00p.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

Meeting Date: January 11, 2010

Data Sheet

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

Meeting Date: January 11, 2010

Data Sheet

Topic:

- 1st Annual Board & Commissions Sign-Up Reception, Tuesday, January 26, 2010 from 5:30 – 7:30 p.m. – Tomball Community Center, 221 Market St.

Background:

Origination:

Engineering and Planning

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

Meeting Date: January 11, 2010

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 14, 2009.

Background:

Origination:

Engineering and Planning

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:

P&Z Minutes 12.14.09

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

MONDAY, DECEMBER 14, 2009



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Crofoot at 6:02 p.m. Other members present were:

Commissioner O'Donnell
Commissioner Dodson
Commissioner Mottershaw

Commissioner Wallace – Excused Absence

Others present:

Director of Engineering and Planning – Mark McClure
City Planner/Community Development Coordinator – Kelly Violette
Engineering & Planning Administrative Assistant – Brandy Pate
Assistant City Planner – Rodney Schmidt
City Attorney – Bill Olson (arrived at 6:15 p.m.)

2.0 No Public Comments were received.

3.0 Kelly Violette announced upcoming reception:

- 1st Annual Board & Commissions Sign-Up Reception, Tuesday, January 26, 2010
from 5:30 – 7:30 p.m. – Tomball Community Center, 221 Market St.

4.0 Motion was made by Commissioner O'Donnell to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 9, 2009; second by Commissioner Dodson.

Motion carried unanimously.

Discussion/Action of the Following Items:

5.0 New Business:

5.1 Consideration and Possible Action Regarding the PRELIMINARY PLAT OF RESERVE AT SPRING LAKE SECTION ONE: Being 234.9393 acres, consisting

of 2 Blocks, 22 Lots, and 11 Reserves, located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641, Harris County, Texas, City of Tomball, Texas. ***This plat was pulled from the agenda at the applicant's request.***

- 5.2 Consideration and Possible Action Regarding **ZONING CASE P09-180**: Request by Philip O'Sullivan to amend the Comprehensive Zoning Ordinance to rezone one lot totaling approximately 0.0695 acres of land, legally described as Lot 34, Block 89 of Revised Map of Tomball, as Recorded in Vol. 4, Page 25, of the Map Records of Harris County, within the City of Tomball, TX, generally located on the easterly side of Ash Street, southerly of Timkin Road from the SF-6-Single Family 6 District to the D-Duplex Residential District.

The Public Hearing was opened by Chairman Crofoot at 6:05 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Owner / Applicant, Phillip O'Sullivan of 16014 Birchview Dr. spoke on behalf of the request.

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

Commissioner O'Donnell made a motion to recommend Approval of **ZONING CASE P09-180**; second by Commissioner Dodson.

Vote was as follows:

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

Motion carried unanimously.

- 5.3 Consideration and Possible Action Regarding **ZONING CASE P09-182**: Request by Hal Lynch, on behalf of Tomball Hospital Authority (d/b/a Tomball Regional Hospital), for a Conditional Use Permit to construct a three-story Health Science Center (Lone Star College) at the height of 65 feet, where the maximum height permitted is 42 feet in the GR-General Retail District. The property is an approximately 5.5658 acre site, legally described at Reserve A, Block 1 as shown on the final plat of "Doctors Professional Office Building Subdivision," generally located on the northerly side of Graham Drive, easterly of Holderrieth Boulevard.

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

Kelly Violette, City Planner presented the staff report.

Applicant, Hal Lynch of 106 E. 6th St. in Austin, TX. spoke on behalf of the request.

No public comments were received and the Public Hearing was closed at 6:22 p.m.

Commissioner Dodson made a motion to recommend Approval of **ZONING CASE P09-182** with height conditions; second by Commissioner O'Donnell.

Vote was as follows:

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

Motion carried unanimously.

- 6.0 Motion was made by Commissioner O'Donnell to adjourn; second by Commissioner Mottershaw.

Motion carried unanimously.

Meeting adjourned at 6:23 p.m.

PASSED AND APPROVED this _____ day of _____ 2009.

Brandy Pate
P&Z Commission Secretary

Tom Crofoot
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 11, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding the **PRELIMINARY PLAT OF RESERVE AT SPRING LAKE SECTION ONE**: Being 234.9393 acres, consisting of 2 Blocks, 22 Lots, and 11 Reserves, located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641, Harris County, Texas, City of Tomball, Texas.

Background:

Origination:

Engineering and Planning

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:

Preliminary Plat Reserve at Spring Lake Section One 1 of 6

Preliminary Plat Reserve at Spring Lake Section One 2 of 6

Preliminary Plat Reserve at Spring Lake Section One 3 of 6

Preliminary Plat Reserve at Spring Lake Section One 4 of 6

Preliminary Plat Reserve at Spring Lake Section One 5 of 6

Preliminary Plat Reserve at Spring Lake Section One 6 of 6



- GENERAL NOTES:
1. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
 2. All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
 3. 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 setbacks at a minimum should be 15 feet off centerline of low pressure gas lines and 30 feet off centerline of high pressure gas lines.
 4. This plat does not attempt to amend or remove any valid covenants or restrictions.
 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 of Ordinances at the time of the development of the property.
 6. Bearings based on Texas South Central State Plane Coordinates (Nad 83).
 7. Unless otherwise indicated, the building line (B.L.), whether one or more, shown on this plat are established to evidence compliance with the applicable provisions of Chapter 14, Code of Ordinances, City of Tomball, Texas, in effect at the time this plat was approved, which may be amended from time to time.
 8. The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (Nad83) and may be brought from surface by applying the following combined scale factor of .99992227.
 9. All corners are set 5/8 inch iron rods w/cap unless otherwise shown or noted.
 10. There is a One-foot reserve dedicated as a buffer separation between the side or end of streets where such streets abut adjacent property, the condition of this dedication being that when the adjacent property is subdivided or re-subdivided in a recorded subdivision plat, the one-foot reserve shall thereupon become vested for street right-of-way purposes.
 11. 50' Radius easement dedicated for use as a temporary turn-around until street is extended in a recorded plat.
 12. Gas and Water lines are located along Ulrich Road.
 13. Magnolia Pipeline Company Easement recorded in Volume 1554, Page 135, Volume 1554, Page 136 and Volume 1545, Page 296, Humble Oil Refining Company Easement recorded in Volume 1663, Page 389 and Teppco Crude Pipeline, L.P., recorded in Volume 941, Page 255 of the Deed Records of Harris County, Texas are blanket easements.
 14. Right-of-Way and easement for pipeline purposes, as granted to Humble Oil and Refining Company, now known as Exxon Corporation by instruments recorded in Volume 2844, Page 672 and Volume 3496, Page 459, both of the Deed Records of Harris County, Texas amended and defined by instrument filed for record under Harris County Clerk's File No. K547140. It Does not affect subject property.
 15. 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.

OWNER/DEVELOPER:
YAUPON RANCH, LTD.
ROBERT (BOB) ALLEN, GENERAL PARTNER
10943 N. SAM HOUSTON PKWY W., #150
HOUSTON, TX 77064
281-477-8688

CENTERPOINT ENERGY HOUSTON ELECTRIC
RAILROAD

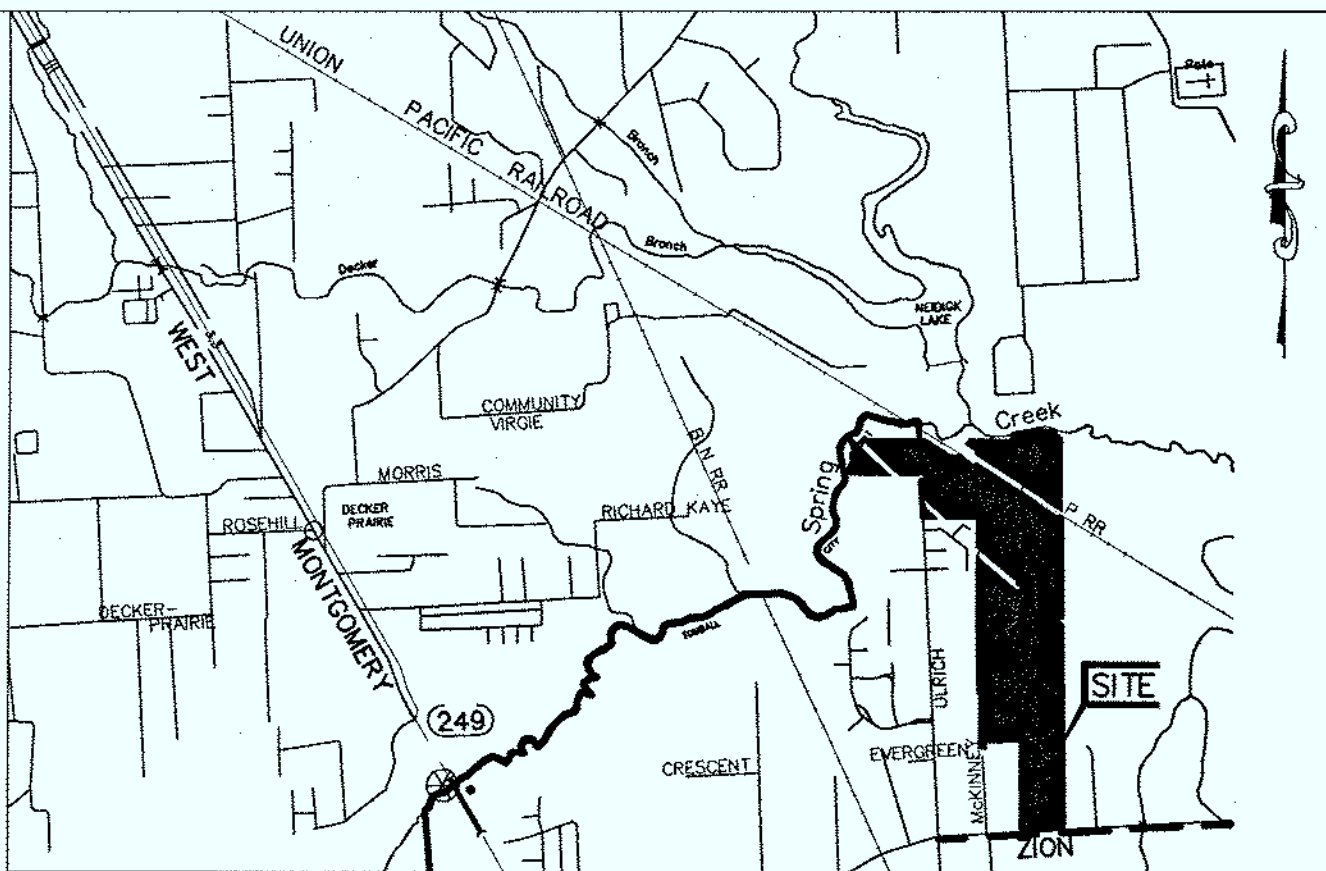
LIENHOLDER:
MITCHELL SCHULMAN, EXECUTIVE VICE PRESIDENT
BANK OF HOUSTON
750 BERING DR.
HOUSTON TEXAS 77057
713-789-6100

SUMMARY TABLE OF LOT(S)		
BLOCK 1		
LOT	SQ. FT.	ACRE(S)
1	50172.80	1.1518
2	59485.67	1.3426
3	58860.86	1.3510
4	59263.77	1.3603
5	54892.67	1.2602
6	44397.39	1.0192
7	44466.56	1.0208
8	44537.77	1.0225
9	47005.89	1.0791
10	61432.61	1.4103
11	50736.53	1.1648
12	58100.02	1.3338
BLOCK 2		
LOT	SQ. FT.	ACRE(S)
1	64287.56	1.4758
2	52659.42	1.2077
3	50797.1	1.1681
4	67273.82	1.5444
5	68557.43	1.5443
6	55237.66	1.2681
7	57062.29	1.3097
8	50101.18	1.1502
9	78659.54	1.8058
10	60039.92	1.3783

SUMMARY TABLE OF RESERVE(S)		
RESERVE(S)	SQ. FT.	ACRES
A	66323.25	1.5914
B	126474.57	2.9035
C	440263.34	10.1071
D	5963794.38	137.5986
E	109003.62	2.5024
F	355182.99	8.1539
G	1293715.11	29.6966
H	42276.03	0.9705
I	24924.97	0.5722
J	91945.81	2.1108
K	245341.94	5.6323

LEGEND:
BUILDING LINE
UTILITY EASEMENT
AERIAL EASEMENT
CITY OF TOMBALL UTILITY EASEMENT/DRAINAGE EASEMENT (PUBLIC)
DRAINAGE EASEMENT (PRIVATE)
SET 5/8 INCH IRON RODS
BLOCK NUMBER

BL
UE
AE
COT UE/DE
DE
©
1

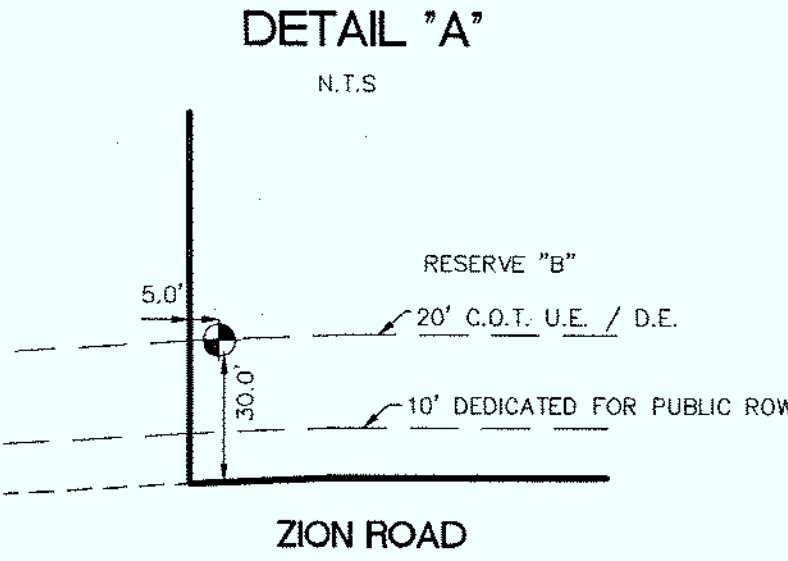


VICINITY MAP
NOT TO SCALE

FLOOD STATEMENT

According to FEMA Firm Panel No. 48201C0230L (Effective Date June 18, 2007), this property is in Zone "X" and is within the 0.2% Annual Chance Flood Plain or According to FEMA Firm Panel No. 48201C0230L (Effective Date June 18, 2007) I have examined the Federal Emergency Management Agency's Flood Insurance Rate Maps for Harris County, Texas, Map Number 48201C0230 L, effective date of June 18, 2007, the map indicates this tract to be in "Zone "X", determined to be outside 100 year flood plain", this tract is not within a designated Special Flood Hazard Area, inundated by 100 year flood or Other Flood Areas.

Warning: This site is not within an identified Special Flood Hazard Area, this statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This determination has been made by scaling the property on the referenced map and is not the result of an elevation survey. This flood statement shall not create liability on the part of the surveyor.

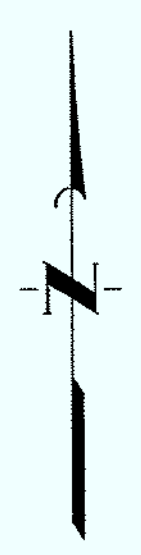


SITE BENCHMARK - SET BRASS DISK IN CONCRETE STAMPED "RSL1" LOCATED NEAR THE SOUTHWEST CORNER OF THE SUBDIVISION, 30 FEET NORTH OF ZION ROAD, AND 5 FEET EAST OF PROPERTY LINE AS SHOWN. ELEVATION=172.36

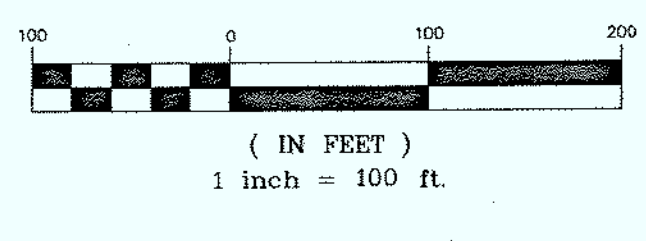
PRELIMINARY PLAT
RESERVE AT SPRING LAKE
SECTION ONE
234.9393 ACRES (10,233,957 SQ. FT.)
LOCATED IN THE
JOSEPH MILLER LEAGUE, A-50
W.H. CLEMENS SURVEY, A-1641
HARRIS COUNTY, TEXAS
CITY OF TOMBALL, TEXAS

2 BLOCKS 22 LOTS 11 RESERVES

JANUARY 2010

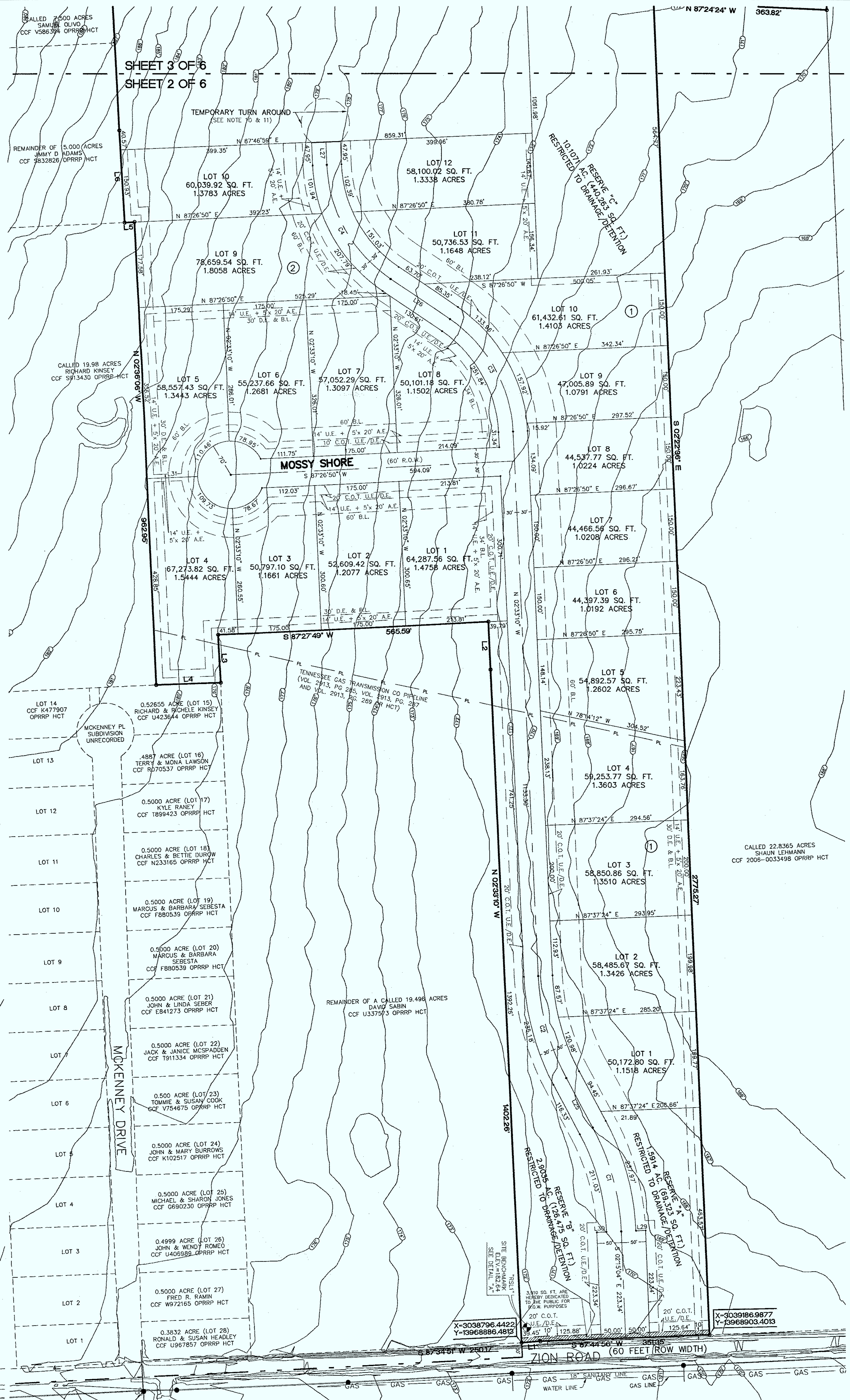


GRAPHIC SCALE

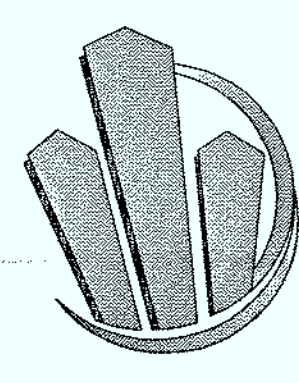


LINE TABLE		
LINE	LENGTH	BEARING
L1	39.59	S85°28'48"W
L2	99.79	N02°38'21"W
L3	100.17	S02°56'58"E
L4	134.11	S88°01'13"W
L5	20.10	S86°50'37"W
L6	191.51	N03°13'33"E
L7	64.55	N47°22'29"E
L8	220.98	N19°31'47"E
L9	119.99	N06°53'22"W
L10	75.85	N33°53'17"E
L11	157.84	N23°30'57"W
L12	63.77	N32°10'15"E
L13	87.16	N02°27'39"W
L14	154.67	N85°22'56"E
L15	113.12	N78°38'06"E
L16	110.50	N85°24'57"E
L17	210.89	N86°08'38"E
L18	202.76	S85°02'44"E
L19	169.62	S44°19'45"E
L20	15.97	S37°50'41"E
L21	120.32	S02°18'27"E
L22	44.05	S58°38'56"E
L23	90.20	N01°39'54"W
L24	84.46	S02°32'09"E
L25	116.33	N27°58'36"W
L26	149.06	S55°59'39"E
L27	47.95	N02°13'01"W
L28	11.17	N87°46'59"E
L29	20.00	S87°44'56"W
L30	20.00	S87°44'56"W
L31	104.99	N87°26'50"E
L32	224.52	N48°49'03"E
L33	189.04	S48°49'03"E
L34	60.01	N02°11'40"W
L35	14.74	S58°37'40"E
L36	100.00	S31°22'24"W
L37	60.01	S02°11'40"E

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD B.
C1	500.00	224.50	25°43'32"	N15°06'50"W
C2	500.00	221.86	25°25'28"	S15°15'53"E
C3	300.00	279.82	53°26'28"	N29°16'24"W
C4	300.00	281.58	53°46'38"	S29°06'20"E
C5	470.00	143.12	17°26'50"	N83°29'35"W
C6	530.00	163.84	17°42'45"	S83°37'32"E

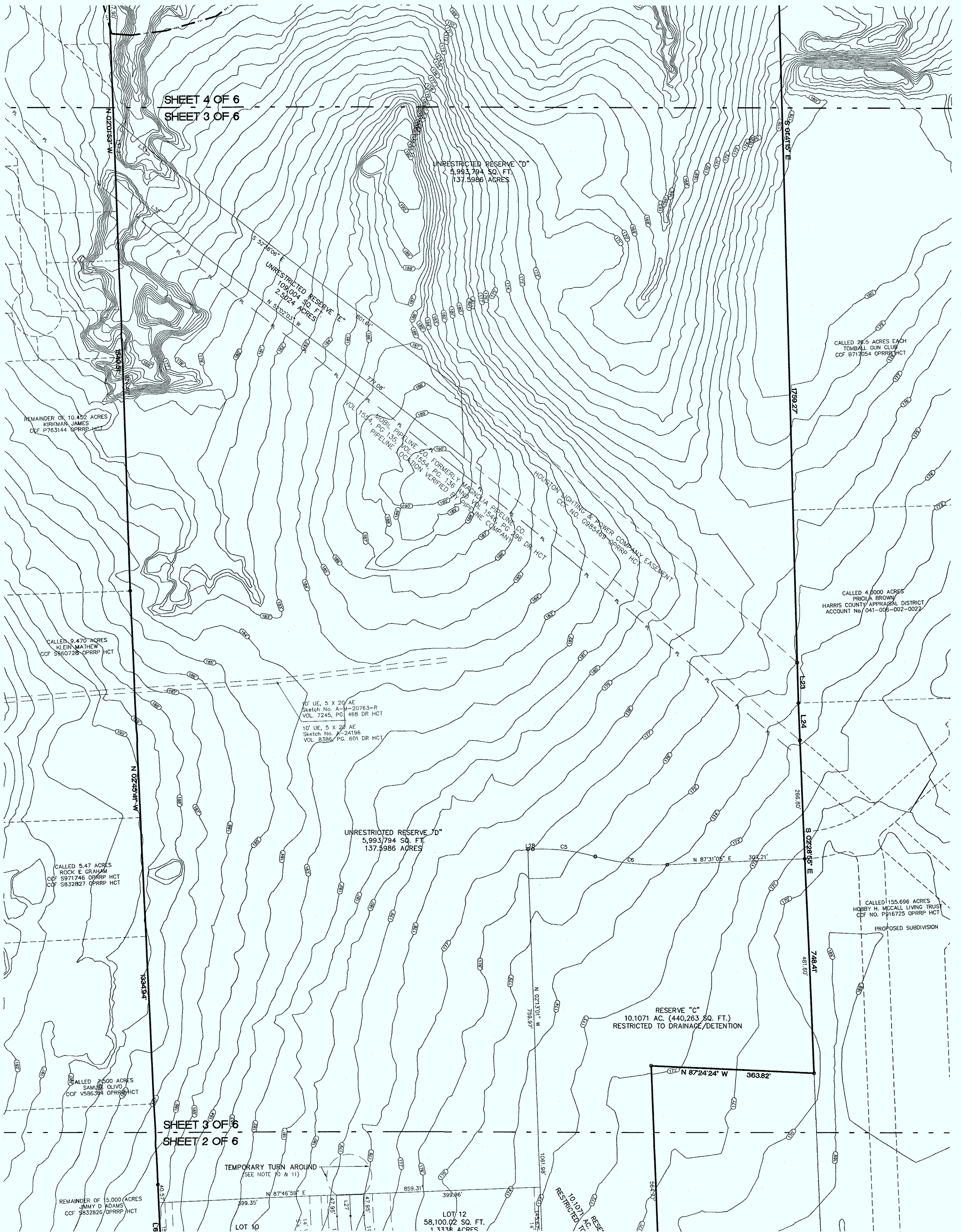


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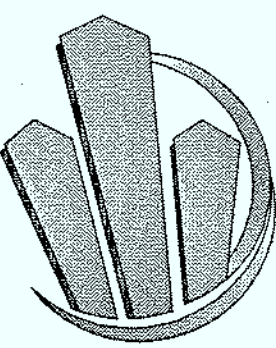
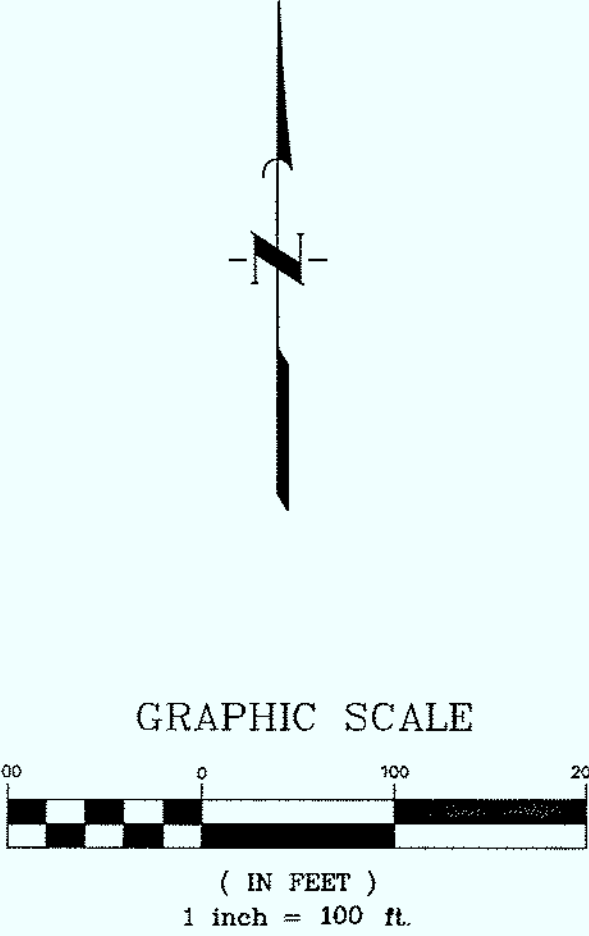


TOWN & COUNTRY SURVEYORS, LLC
25307 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
(281) 465-8730
FAX (281) 465-8731

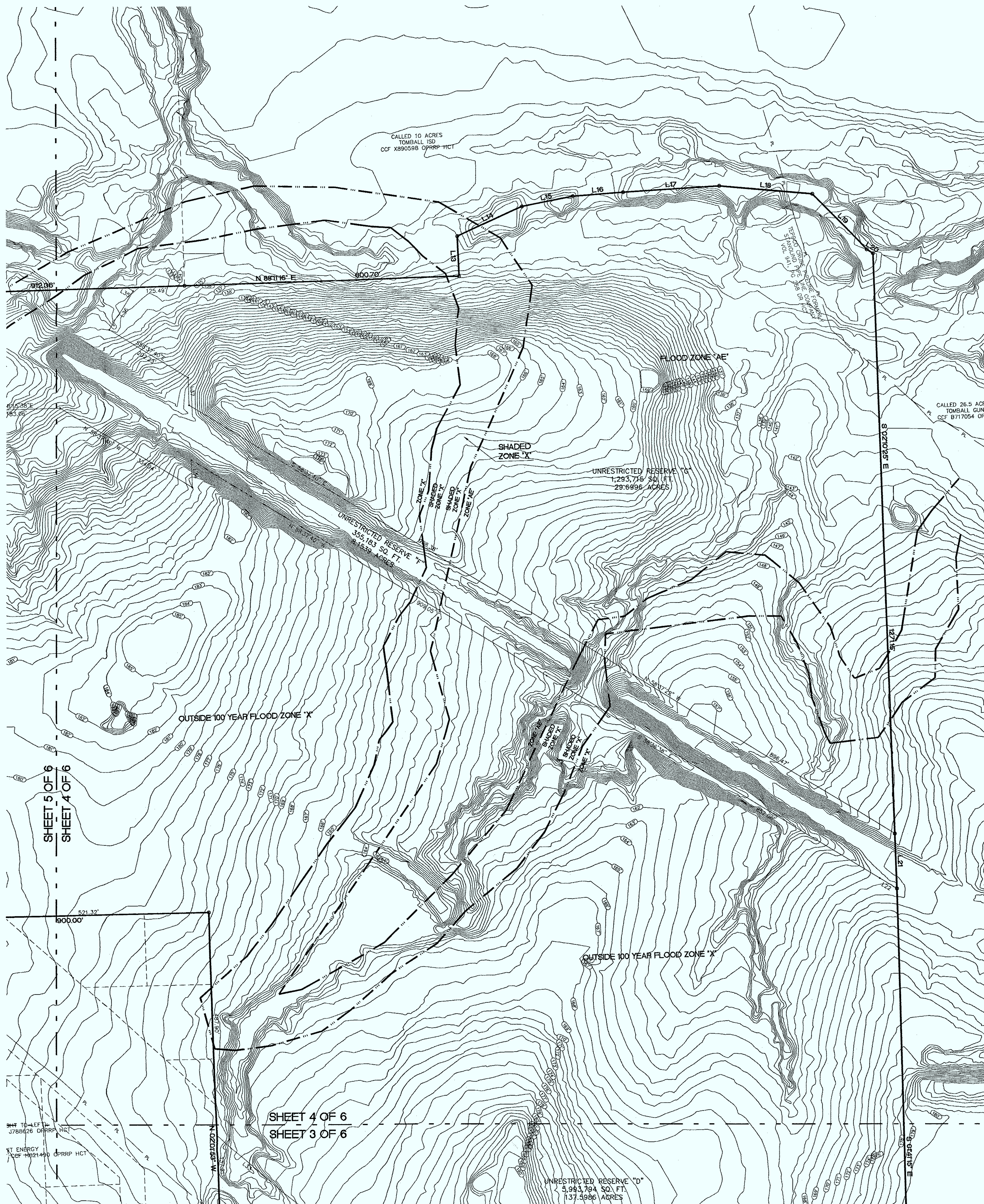
SHEET 2 OF 6



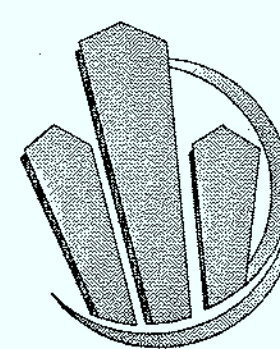
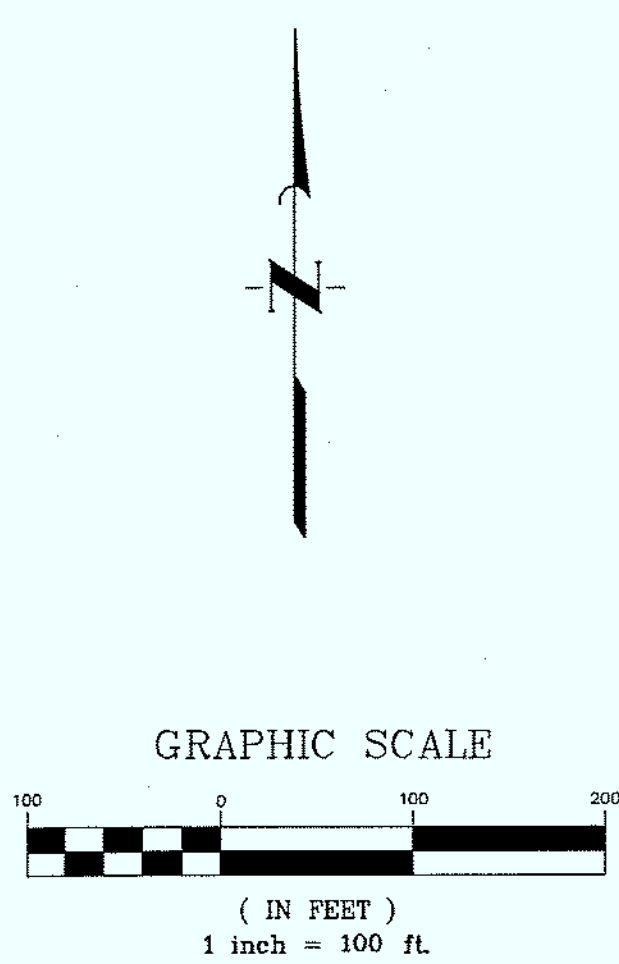
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2 BLOCKS 22 LOTS 11 RESERVES
JANUARY 2010



TOWN & COUNTRY SURVEYORS, LLC
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THE WOODLANDS, TX 77380
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THE WOODLANDS, TX 77380
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OWNERSHIP OF LOTS 1-12 AND 1-10, BLOCKS 1 AND 2
RESERVES A, B, C, D, G, I AND K

STATE OF TEXAS

COUNTY OF HARRIS

WE, Yaupon Ranch, Ltd., acting by and through Robert M. Allen, General Manager, being officer of Yaupon Ranch, Ltd., hereinafter referred to as Owners of the 221.2017 acre tract described in the above and foregoing plat of RESERVE AT SPRING LAKE SECTION ONE, do hereby make and establish said subdivision and development plat of said property according to all liens, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purpose and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on 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 aerial easements, five (5) feet in width from a plane twenty (20) feet 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 (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any 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 is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations 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, Yaupon Ranch, Ltd. has caused these presents to be signed by Robert M. Allen, its General Manager, thereunto authorized, attested by its Secretary, _____, and its common seal hereunto affixed this _____ day of _____, 2010.

By: _____ Attest: _____
Robert M. Allen, General Manager
Yaupon Ranch, Ltd. _____, Secretary

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Robert M. Allen and _____, General Manager and Secretary respectively of Yaupon Ranch, Ltd., known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgment 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: _____

THE STATE OF TEXAS

COUNTY OF HARRIS

We, Preferred Bank, owners and holders of a lien against the property described in the plat known as Reserve One, said lien being evidenced by instrument of record in Film Code No. 2008-0535712, 2008-0535106 and 20080535713 of the Mortgage Records of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and we hereby confirm that we are the present owners of said lien and have not assigned the same nor any part thereof.

Thomas B. Anderson
Preferred Bank
Houston, Texas
Phone: _____

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Thomas B. Anderson, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he 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 _____

Notary Public in and for the State of Texas

My Commission Expires: _____

OWNERSHIP OF RESERVES E, H AND J

STATE OF TEXAS

COUNTY OF HARRIS

WE, Centerpoint Energy Houston Electric, acting by and through _____, being officer of Centerpoint Energy Houston Electric, hereinafter referred to as Owners of the 5.5837 acre tract described in the above and foregoing plat of RESERVE AT SPRING LAKE SECTION ONE, do hereby make and establish said subdivision and development plat of said property according to all liens, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purpose and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on 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 aerial easements, five (5) feet in width from a plane twenty (20) feet 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 (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any 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 is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations 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, Centerpoint Energy Houston Electric has caused these presents to be signed by _____, its _____, thereunto authorized, attested by its Secretary, _____, and its common seal hereunto affixed this _____ day of _____, 2010.

By: _____ Attest: _____
Centerpoint Energy Houston Electric _____, Secretary

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared _____ and _____ and Secretary respectively of Centerpoint Energy Houston Electric, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgment 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: _____

OWNER\DEVELOPER:
YAUPON RANCH, LTD.

ROBERT (BOB) ALLEN, GENERAL PARTNER
10943 N. SAM HOUSTON PKWY W., #150
HOUSTON, TX 77064
281-477-8688

CENTERPOINT ENERGY HOUSTON ELECTRIC

RAILROAD

LIENHOLDER:
THOMAS B. ANDERSON, _____
PREFERRED BANK
HOUSTON TEXAS

OWNERSHIP OF RESERVE F

STATE OF TEXAS

COUNTY OF HARRIS

WE, Missouri Pacific Railroad, acting by and through _____, being officer of Missouri Pacific Railroad, hereinafter referred to as Owners of the 8.1539 acre tract described in the above and foregoing plat of RESERVE AT SPRING LAKE SECTION ONE, do hereby make and establish said subdivision and development plat of said property according to all liens, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purpose and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on 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 aerial easements, five (5) feet in width from a plane twenty (20) feet 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 (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located 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 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 is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations 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, Missouri Pacific Railroad has caused these presents to be signed by _____, its _____, thereunto authorized, attested by its Secretary, _____, and its common seal hereunto affixed this _____ day of _____, 2010.

By: _____ Attest: _____
Missouri Pacific Railroad _____, Secretary

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared _____ and _____ and Secretary respectively of Missouri Pacific Railroad, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgment 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, David Strauss, 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 lot corners have been marked with iron rods having an outside diameter of not less than five-eighths inch (5/8"); 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.

David Strauss , Registered Professional Land Surveyor
Texas Registration No. 4833

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's Ordinances.

By: _____ By: _____
City Manager Mark A. McClure
Director of Engineering & Planning

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of Reserve at Spring Lake Section One 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: _____ By: _____
Tom Crofoot, Chair Lori Wallace, Vice-Chair

CITY OF TOMBALL

This is to certify that the City accepts the Planning Commission's authorized approval and acceptance of all dedicated public easements and rights-of-way 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 _____.

By: _____ By: _____
Gretchen Fagan, Mayor Doris Speer, City Secretary

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, and duly recorded on _____, 2010, at _____ o'clock, and in 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
Clerk of the County Court
Harris County, Texas

By: _____
Deputy

PRELIMINARY PLAT
RESERVE AT SPRING LAKE
SECTION ONE
234.9393 ACRES (10,233,957 SQ. FT.)
LOCATED IN THE
JOSEPH MILLER LEAGUE, A-50
W.H. CLEMENS SURVEY, A-1641
HARRIS COUNTY, TEXAS
CITY OF TOMBALL, TEXAS
2 BLOCKS 22 LOTS 11 RESERVES

JANUARY 2010

SHEET 6 OF 6

CT/DJS

JOB No. 0451-0004

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 11, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding **SHEPHERD'S PROPERTY – FINAL PLAT**: Being a 1.2612 Acre Tract Situated in the City of Tomball, Texas in the Joseph House Survey, Abstract 314, Harris County, Texas, Being Comprised of a 0.9471 Acre Tract (H.C.C.F. NO. Z-433094) and a 0.314 Acre Tract (H.C.C.F. NO. S-775139)

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

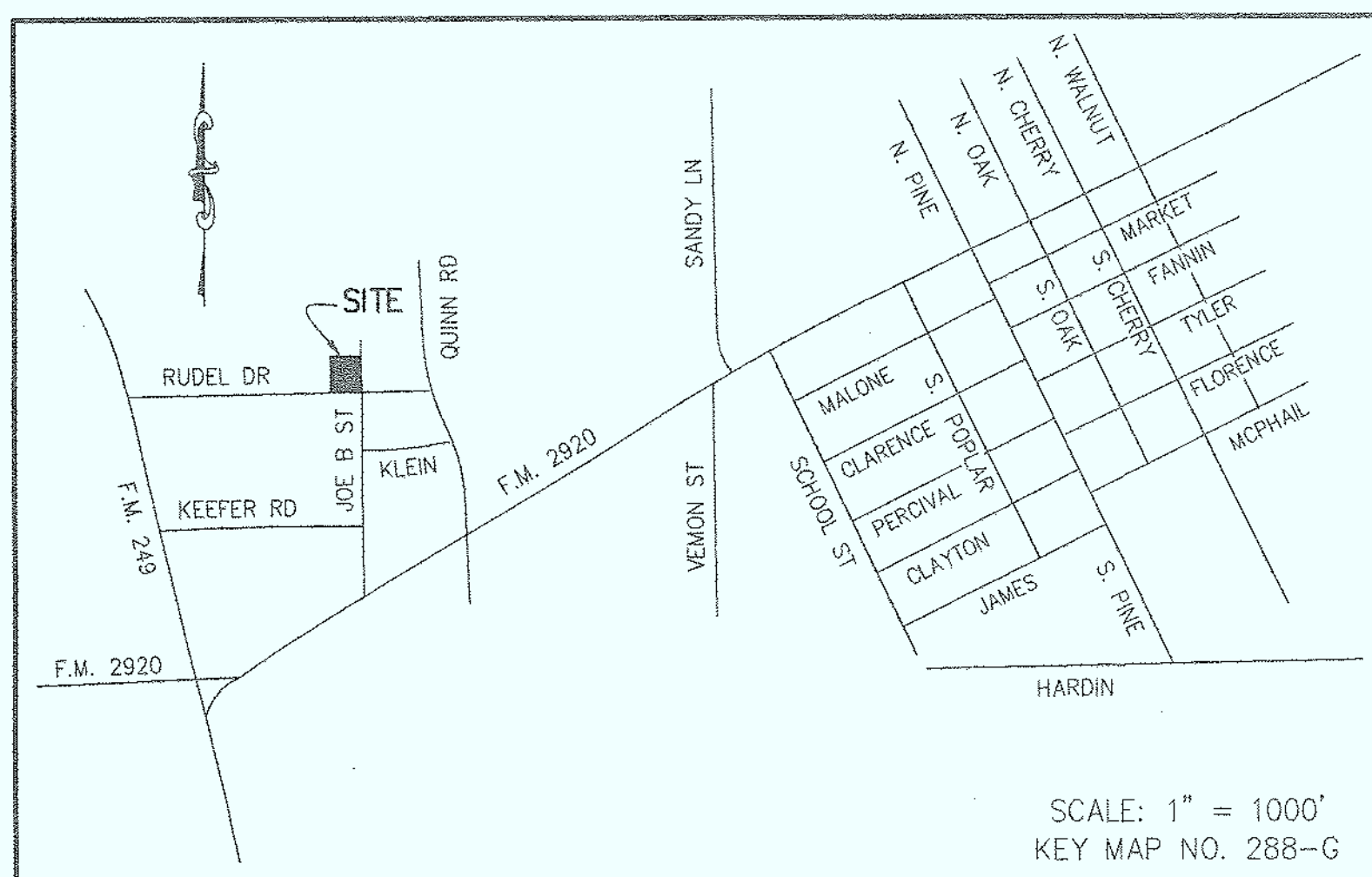
Party(ies) responsible for placing this item on agenda:

Engineering and Planning

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

ATTACHMENTS:

Shepherd's Property - Final Plat



SITE LOCATION MAP

THE STATE OF TEXAS
COUNTY OF HARRIS

We, Ralph Shepherd and Sandra Shepherd, owners of the 1.2612 acre tract described in the above and foregoing Plat of Shepherd's Property, do hereby make and establish said subdivision of said property according to all liens, 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 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 unobstructed aerial easements 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 centerline of any and all bayous, 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, plantings 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.

WITNESS my hand in the City of Tomball, Texas, this _____ day of _____, 2010.

Ralph Shepherd Sandra Shepherd

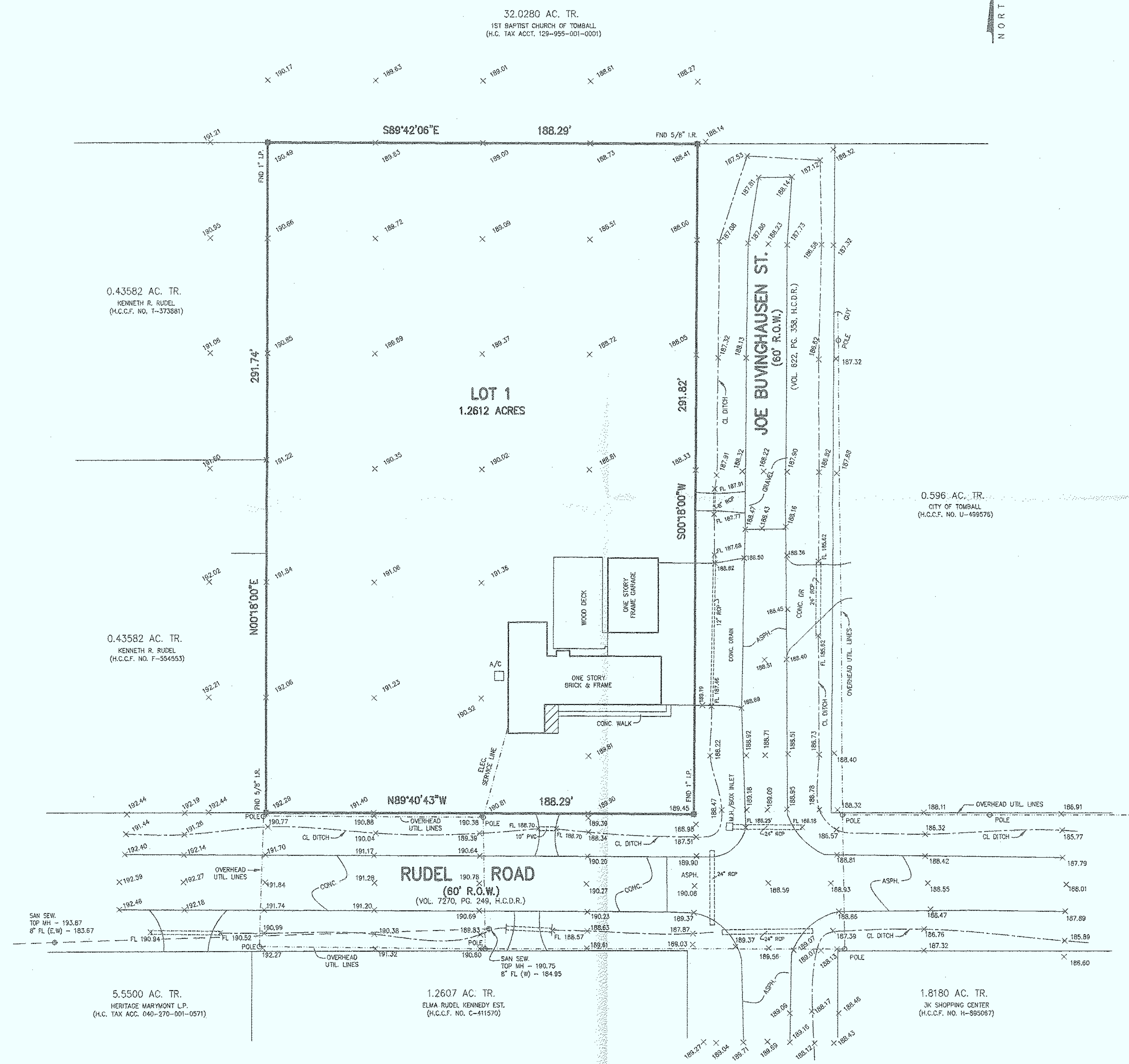
THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Ralph Shepherd and Sandra Shepherd, 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.

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

Notary Public In and For the State of Texas

My Commission Expires:



NOTES:

- 1.) BASIS OF BEARINGS: PREVIOUS DEED FILED UNDER H.C.C.F. NO. Z-433094.
- 2.) THE SURVEYOR DID NOT ABSTRACT THIS PROPERTY.
- 3.) NO BUILDING SHALL CROSS ANY BUILDING LINE, PIPELINE OR EASEMENT.
- 4.) NO BUILDING SHALL CROSS ANY BUILDING LINE, PIPELINE OR EASEMENT.
- 5.) THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN PER FEMA MAP PANEL NUMBER 483150210L, DATED JUNE 18, 2007.

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.

Mark McClure, Director - Engineering & Planning

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

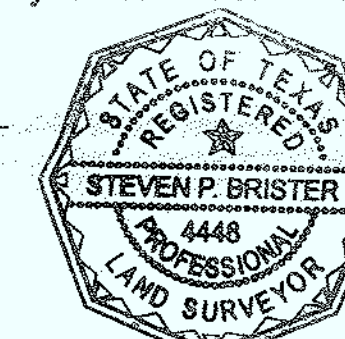
By: Gretchen Fagan, Mayor By: Doris Speer, City Secretary

This is to certify that the Planning Commission of the City of Tomball, Texas has approved this plat and subdivision of _____ 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: Vincent O'Donnell, Chairman By: Brad Hallmark, Vice Chairman

I, Steven P. Brister, 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 metal stakes as shown hereon and that the plat boundary corners have been tied to the nearest survey corner.


Steven P. Brister
Texas Registration No. 4448



I, Beverly B. Kaufman, County Clerk of Harris County, Texas, do hereby certify that the within instrument with it's 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 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
Clerk of the County Court
Harris County, Texas

By: _____
Deputy

OWNER:

RALPH SHEPHERD and SANDRA SHEPHERD
1302 RUDEL ROAD
TOMBALL, TEXAS 77375
(281) 357-8901

NOTE: ALL ELEVATIONS BASED ON FEMA FLOOD PLAIN F.M. 100370
VERTICAL DATUM - NAVD 1988 (2001 ADJUSTMENT)

FINAL PLAT

SHEPHERD'S PROPERTY

BEING A 1.2612 ACRE TRACT SITUATED IN THE CITY OF
TOMBALL, TEXAS IN THE JOSEPH HOUSE SURVEY, ABSTRACT
314, HARRIS COUNTY, TEXAS, BEING COMPRISED OF A
0.9471 ACRE TRACT (H.C.C.F. NO. Z-433094) AND A 0.314
ACRE TRACT (H.C.C.F. NO. S-775139)

PREPARED BY:
STEVEN BRISTER
SURVEYING
7255 COUNTY LINE ROAD
WILLIS, TEXAS 77378
(936) 788-7705
SURV325@YAHOO.COM

ADDRESS: 1302 RUDEL ROAD, TOMBALL, TEXAS

FIELD WORK: 11-2009

DRAFTING: 12-2009

FINAL CHECK: 01-2010

REVISÉ: —