

**SEABROOK CITY COUNCIL
NOTICE OF REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 1, 2014 - 7:00 PM**

NOTICE IS HEREBY GIVEN THAT THE SEABROOK CITY COUNCIL WILL MEET ON **TUESDAY JULY 1, 2014 AT 7:00 PM** IN THE SEABROOK CITY HALL COUNCIL CHAMBERS, 1700 FIRST STREET, SEABROOK, TX 77586, **TO DISCUSS, CONSIDER, AND IF APPROPRIATE, TAKE ACTION** WITH RESPECT TO THE ITEMS LISTED BELOW.

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR OTHER ACCOMMODATIONS OR INTERPRETIVE SERVICES, MUST BE MADE, 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 291-5600 OR FAX (281) 291-5710 FOR FURTHER INFORMATION.

PLEDGE OF ALLEGIANCE

1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

 ATTACHMENT 1

- 1.1 Interview applicants for the Charter Review Commission and the Comprehensive Master Plan Review Commission with appointments to be made in July.

2.0 PRESENTATIONS

- 2.1 Presentation of Budget FY 2014-2015. (Cook)

3.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.

- 3.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

4.0 SPECIFIC PUBLIC HEARING(S)

 ATTACHMENT 2

- 4.1 Request to change the zoning classification of land described below from the current classification of R-1 (Residential-Single Family Detached) to C-2 (Commercial

Medium).

Applicant/Owner: Pacific Ridge Development LLC, 211 E. Carillo St. #204, Santa Barbara, CA 93101

Legal Description: A 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 15A, 16, 17A, 18E, Ruggles West Subdivision. This property is located immediately east of Lakeside Drive, south of Oak Dale Way and north of the Repsdorph Traffic Circle.

ATTACHMENT 3

- 4.2 Request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Applicant/Owner: Starship Conroe, LP, PO Box 473, Seabrook, TX 77586

Legal Description: A 20.3014 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas, Savings and Loan Company Subdivision, consisting of 7.5973 acres being out of and a part of Lots 7A and 7B, this property is located immediately west of the Repsdorph Traffic Circle and is adjacent to the Seabrook city limits; 6.6960 acres being out of and a part of Lot 8, this property is located immediately east of the Repsdorph Traffic Circle, and north of Repsdorph Road; and a 6.0081 acres being out of and a part of Lots 7A-1, 7B-1 and 8B, this property is located immediately south of the Repsdorph Traffic Circle, and north of Vermillion Road.

5.0 CONSENT AGENDA - Council will discuss, consider and if appropriate, take action on the items listed below.

All consent agenda items are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a council member, city manager, city attorney or city secretary so requests, in which event the item will be removed from the Consent Agenda and considered immediately following the Consent Agenda.

ATTACHMENT 4

- 5.1 Approval of parade permit for Bay Area Running Club's Annual 5-K Fun Run on Saturday, August 2 from 6:00 until 11:00 a.m. The event begins at Outrigger's and continues along Todville Road to Hammer St. and back. Proceeds benefit Crossroads.

ATTACHMENT 5

- 5.2 Approve minutes of June 17, 2014 regular City Council meeting. (Brant)

ATTACHMENT 6

- 5.3 Approval of second and final reading of proposed Ordinance No. 2014-14, "Update to Water Conservation and Drought Contingency Plan." (Padgett/Chairez)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 95 "UTILITIES," ARTICLE III, "WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN, SECTION 95-80, "WATER CONSERVATION PLAN CONTENT," BY PROVIDING STATISTICAL UPDATES AS REQUIRED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDES FOR SEVERABILITY AND PROVIDES FOR AN EFFECTIVE DATE.

ATTACHMENT 7

- 5.4 Approval of second and final reading of proposed Ordinance No. 2014-15, "Amending Disclosure Requirements."

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 2, "ADMINISTRATION", ARTICLE VI. "CODE OF ETHICS", DIVISION 3. "CONFLICTS OF INTEREST", SECTION 2-239 "DISCLOSURE" BY REQUIRING THAT ELECTED OFFICIALS AND CERTAIN APPOINTED OFFICIALS REVIEW THEIR DISCLOSURE STATEMENTS AT LEAST ONCE A YEAR AND SUBMIT A NEW DISCLOSURE STATEMENT WITH CHANGES OR A WRITTEN STATEMENT ATTESTING THAT NO CHANGES HAVE OCCURRED; PROVIDING A PENALTY IN AN AMOUNT OF \$500.00 OR THE MAXIMUM AMOUNT PROVIDED BY LAW FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

- 5.5 Approval of reappointment of Joe Winter to the Civil Service Commission for a three-year term expiring in June 2017. (Council)

END OF CONSENT AGENDA

- 6.0 NEW BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.**

ATTACHMENT 8

- 6.1 Consider appointments to the Comprehensive Master Plan Review Commission. (Council)

ATTACHMENT 9

- 6.2 Consider appointments to the Charter Review Commission. (Council)

ATTACHMENT 10

- 6.3 Approve Resolution No. 2014-05, Surf Oaks Easement Grants. (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT PERMANENT EASEMENT GRANTS ARE NECESSARY FOR MAINTENANCE IMPROVEMENTS FOR SURF OAKS DRIVE/ROAD; APPROVING THE ACCEPTANCE OF EASEMENTS FROM THE NECESSARY PROPERTY OWNERS FOR SUCH ROAD, CONTAINING APPROXIMATELY 2.064 ACRES OF LAND, BEING THE SURF OAKS DRIVE PORTION OF WARD OAKS AS RECORDED IN H.C.M.R. FILM CODE NO. 636152, THE SURF OAKS PORTION OF THE SONES SUBDIVISION AS RECORDED IN H.C.M.R. FILM CODE NO. 570290, ALONG WITH SURF OAKS DRIVE AS SHOWN ON THE UNRECORDED PLAT OF SURF OAKS SUBDIVISION, ALL BEING IN THE RITSON MORRIS SURVEY, ABSTRACT NO.52, SEABROOK, HARRIS COUNTY, TEXAS, MORE PARTICULARLY DEPICTED HEREIN; AND PROVIDING TERMS OF CITY MAINTENANCE

ATTACHMENT 11

- 6.4 Consider approval of first reading of proposed Ordinance No. 2014-17, "Amendment to the Official Zoning Map to Rezone a 12.1341 Acre Tract From a Portion of Ruggles Subdivision, Located in the Repsdorph Road/Lakeside Drive Area from R-1 (Residential-Single Family Detached) to C-2 (Commercial Medium)"

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK, WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING A 12.1341 ACRE TRACT OF LAND SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF LOTS 15A, 16, 17A, 18E, RUGGLES WEST SUBDIVISION, MORE SPECIFICALLY DESCRIBED IN EXHIBIT A, ATTACHED HERETO, FROM R-1 (RESIDENTIAL-SINGLE FAMILY DETACHED) TO A C-2 (COMMERCIAL MEDIUM) DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

ATTACHMENT 12

- 6.5 Consider approval of first reading of proposed Ordinance No. 2014-16, Rezone a 20.2014 Acre Tract Near Repsdorph Traffic Circle From C-1 to C-2. (Landis)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK, WHICH IS PART OF THE SEABROOK CITY CODE OF

ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING A 20.3014 ACRE TRACT SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, SAVINGS AND LOAN COMPANY SUBDIVISION, CONSISTING OF 7.5973 ACRES BEING OUT OF AND A PART OF LOTS 7A AND 7B, THIS PROPERTY IS LOCATED IMMEDIATELY WEST OF THE REPSDORPH TRAFFIC CIRCLE AND IS ADJACENT TO THE SEABROOK CITY LIMITS, 6.6960 ACRES BEING OUT OF AND A PART OF LOT 8, THIS PROPERTY IS LOCATED IMMEDIATELY EAST OF THE REPSDORPH TRAFFIC CIRCLE, AND NORTH OF REPSDORPH ROAD, AND A 6.0081 ACRES BEING OUT OF AND A PART OF LOTS 7A-1, 7B-1 AND 8B, THIS PROPERTY IS LOCATED IMMEDIATELY SOUTH OF THE REPSDORPH TRAFFIC CIRCLE, AND NORTH OF VERMILLION ROAD, FROM C-1 (COMMERCIAL LIGHT) TO C-2 (COMMERCIAL MEDIUM) DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

ATTACHMENT 13

- 6.6 Consider/discuss Developer Agreement between Pacific Ridge Development Company, L.L.C. and the City of Seabrook for certain performance standards and an incentive to waive all fees for the building permit(s) for the initial development of the project in an amount not to exceed \$20,000. (Cook)

ATTACHMENT 14

- 6.7 Consider/discuss Developer Agreement between Starship Dixie Farm, LP and the City of Seabrook for certain performance standards and an incentive to waive all fees for the building permit(s) for the initial development of the project in an amount not to exceed \$20,000.

7.0 ROUTINE BUSINESS - Council will discuss, consider and if appropriate, take action on the items listed below.

ATTACHMENT 15

- 7.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

ATTACHMENT 16

- 7.2 Establish future meeting dates and agenda items. (Council)

THE CITY COUNCIL RESERVES THE RIGHT TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFY FOR AN EXECUTIVE SESSION IN AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE

SECTION NUMBER OF THE OPEN MEETINGS ACT, (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE) THAT JUSTIFIES EXECUTIVE SESSION TREATMENT.

CERTIFICATE

I certify that this notice was posted on the bulletin board on or before Friday, June 27, 2014 and that this notice will remain posted until the meeting has ended.

Meredith Brant, TRMC
Assistant City Secretary

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 59928739
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other Charter Review

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Donald E Holbrook

HOME ADDRESS: 1113 WEST Flamingo SEABROOK, TEXAS 7757

HOME PHONE: 2 CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Disability

BUSINESS NAME AND ADDRESS: _____

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
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<u>Chuck Pinto</u>	<u>1511 Nightshade San Antonio, Tx</u>	<u>2</u>
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<u>Glenn Royal</u>	<u>3906 Breezeway Dr. Seabrook, Tx</u>	<u>2</u>
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How long have you lived in the City of Seabrook? 40+ years

Name of Applicant Donald Holbrook

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

Parks Board - 2006-2008

Have you ever been convicted of a crime, other than minor traffic violations?

No

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

2 years Parks Board

6 - years City Council

Please list any civic or community endeavors in which you have been involved:

Trash Bash, CERT, Boy Scouts,

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Donald E. Holbrook
Signature

4/22/14
Date

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted 4/22/14 Received by: MLG Date(s) Interviewed _____
Comments: _____

Date Appointed: _____

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

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- You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 33737222
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review Commission 1
Civil Service Commission _____ Comprehensive Master Plan Review Commission 2
EDC _____ Ethics Review Commission _____ Open Space & Trails Commission 3
P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: AMY K LEVIER
HOME ADDRESS: 810 DAWN RIDGE WAY SEABROOK 77586
HOME PHONE: _____ CELL PHONE: _____
E-MAIL ADDRESS: _____
DAY TIME PHONE: _____
PROFESSION: MANAGER
BUSINESS NAME AND ADDRESS: AETNA 3 SUGAR CREEK CTR
SUGARLAND 77478

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>TAMERA VOGT</u>	<u>1618 FAIROAKS LN</u> <u>ELL LAGO</u> <u>SEABROOK 77586</u>	

How long have you lived in the City of Seabrook? 3 yrs

Name of Applicant LEVZEL, AMY

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service: N/A

Have you ever been convicted of a crime, other than minor traffic violations?

NO

What experience do you have that may qualify you to serve on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

Professional duties enable me to work with & across teams to resolve issues. Strong written & oral communication skills

Please list any civic or community endeavors in which you have been involved:

N/A

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

[Signature]
Signature

6/24/14
Date

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted ___/___/___ Received by: _____ Date(s) Interviewed _____

Comments: _____

Rev. 05/14

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

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- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # _____
- You have no felony conviction for which you have not been pardoned. YES
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review Commission _____
Civil Service Commission _____ Comprehensive Master Plan Review Commission ✓
EDC _____ Ethics Review Commission _____ Open Space & Trails Commission _____
P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Kim I. Morrell
HOME ADDRESS: 2918 Ocean Mist Ct
HOME PHONE: _____ CELL PHONE: _____
E-MAIL ADDRESS: kim@morrell.com
DAY TIME PHONE: 112-4
PROFESSION: BUSINESS OWNER
BUSINESS NAME AND ADDRESS: Yucca Planting Co

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>Robert Clemente</u>		
<u>Glen D. Royal</u>		<u>202-412-4111</u>

How long have you lived in the City of Seabrook? 12 yrs

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

[Handwritten signature]

Have you ever been convicted of a crime, other than minor traffic violations?

20

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

Former City Councilman

Please list any civic or community endeavors in which you have been involved:

WHEELS + WHEELS - SEABROOK ASSOCIATION

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature

Date _____

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710 291-5690
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted / / Received by: _____ Date(s) Interviewed _____

Comments:

Renola, E

Rev. 05/14

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

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- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 14060503
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review Commission 1

Civil Service Commission _____ Comprehensive Master Plan Review Commission _____

EDC _____ Ethics Review Commission _____ Open Space & Trails Commission 2

P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Elaine M. Renola

HOME ADDRESS: 4530 Tharp Drive, Seabrook, 77586

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: Director of Nursing

BUSINESS NAME AND ADDRESS: Galveston College, 4015 Avenue Q, Galveston, 77550

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
Glenn Royal	3906 Breezeway Dr.	[REDACTED]
O.J. Miller	2500 Wild Oak Forest Ln.	[REDACTED]
Rosebud Carader	3608 Elmen St.	[REDACTED]

How long have you lived in the City of Seabrook? 22 years

Rev. 05/14

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
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- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 1109923834
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review Commission _____

Civil Service Commission _____ Comprehensive Master Plan Review Commission 1

EDC _____ Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: GARY T. RENOLA

HOME ADDRESS: 4530 THARP DR

HOME PHONE: _____ HONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: ENGINEER (RETIRED)

BUSINESS NAME AND ADDRESS: EXXON MOBIL (RETIRED)

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>GLENN ROYAL</u>	<u>SEABROOK, TX</u>	
<u>OT MILLER</u>	<u>SEABROOK, TX</u>	
<u>MIKE GAVGROSSO</u>	<u>SEABROOK, TX</u>	

How long have you lived in the City of Seabrook? 22 YEARS

SEABROOK EDC (2001-2005, PRESIDENT), SEABROOK CC, (2005-8), MAYOR (2008-11)
Have you ever been convicted of a crime, other than minor traffic violations?

MY EXXON MOBIL EXPERIENCE INCLUDES PROJECT MANAGEMENT, CONTRACTOR SELECTION, & STRATEGIC PLANNING. ON CITY COUNCIL I SERVED AS PZ LIAISON, ATTEND ON MANY PZ MEETINGS AND BECAME FAMILIAR WITH OUR ZONING AND ORDINANCES. WHILE ON CC I ADVOCATED FOR HWY 146 PROGRESS AND AM VERY FAMILIAR WITH ~~THE~~ HWY 146 RESULTS FOR US.

BIG BROTHERS BIG SISTERS (MENTOR AND BOARD OF DIR.), CLEAR CREEK EDUCATION FOUNDATION (INCOME CHAIR), SPACE CENTER ROTARY, WEST CHAMBERS CO. CHAMBER OF COMMERCE (FORMER CHAIR), BAYTRAN BOARD, BACVB (BOARD EXEC)

Signature Dary T. Renold

Date 6/21/14

This application will remain on file for one year.

Rodgers

Rev. 05/14

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

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- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 330 81589
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review Commission 3
Civil Service Commission _____ Comprehensive Master Plan Review Commission 2
EDC _____ Ethics Review Commission _____ Open Space & Trails Commission _____
P&Z Commission 1

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Guy B Rodgers
HOME ADDRESS: 806 Quintana Row
HOME PHONE: _____ CELL PHONE: _____
E-MAIL ADDRESS: _____
DAY TIME PHONE: _____
PROFESSION: President / owner
BUSINESS NAME AND ADDRESS: WEST GULF CONTAINER CO.
15920 East Fwy, Channelview, TX 77586

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>Ros-bud Canale</u>		<u>28</u>
<u>Farron Ramirez</u>		<u>713</u>

How long have you lived in the City of Seabrook? 20 years

* Will be at July 1st meeting

Signature

Date _____

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted / / Received by: _____ Date(s) Interviewed _____
Comments:

Comments:

SOICH

Rev. 05/14

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

- You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 66535980
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review Commission _____
Civil Service Commission _____ Comprehensive Master Plan Review Commission XX
EDC _____ Ethics Review Commission _____ Open Space & Trails Commission _____
P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Tracie Soich
HOME ADDRESS: 3329 Oak Dale Way
HOME PHONE: _____ CELL PHONE: _____
E-MAIL ADDRESS: _____
DAY TIME PHONE: _____
PROFESSION: Business Analyst
BUSINESS NAME AND ADDRESS: Jacobs 2224 Bay Area Blvd. Houston, TX 77586

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
OJ Miller	2500 Wild Oak Forest, Seabrook	_____
Laura Davis	2516 Wild Oak Forest, Seabrook	_____

How long have you lived in the City of Seabrook? 6 Years (since Feburary 2008)

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

NA

Have you ever been convicted of a crime, other than minor traffic violations?
NA

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

9 years of Project Management experience

Bachelor in Business Management and Human Resources;

Master of Science in Management and Master of Business Administration in Aviation

Please list any civic or community endeavors in which you have been involved:

Nothing local. Prior experience in community services with American Legion and Special Olympics.

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature

6/5/2014
Date

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

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OFFICE USE ONLY

Date Submitted __/__/__ Received by: _____ Date(s) Interviewed _____
Comments: _____

Rev. 05/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

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- You are a qualified City of Seabrook voter at the time of appointment. Certification # _____
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Civil Service Commission _____ EDC _____

① Ethics Review Commission W Open Space & Trails Commission _____

P&Z Commission _____ ② Public Safety W Other _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: WILLIAM CODY WILSON

HOME ADDRESS: 1629 E. MEYER RD.

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS: _____

DAY TIME PHONE: _____

PROFESSION: HEALTH, SAFETY ENVIRONMENTAL, QUALITY DIRECTOR

BUSINESS NAME AND ADDRESS: MAN DIESEL TURBO, INC.

1600A BRITTMORE RD. HOUSTON 77043

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>BENJAMIN COBB</u>	<u>1061 DOVE QUAIL TRAIL LEAGUE CITY</u>	<u>7721-7</u>
<u>STENEE KING</u>	<u>98 LAKESHORE DR. EL PASO</u>	

How long have you lived in the City of Seabrook? 6 YEARS (-1 year workweek overers)

Would like to be considered
for Master Plan

Name of Applicant William Ruby Wilson

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

YES. SERVED ON THE PUBLIC SAFETY BOARD

YES. SERVED ON THE PUBLIC SAFETY BOARD 2010-2012 TIMEFRAME

Have you ever been convicted of a crime, other than minor traffic violations?

No.

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

- 20 YEARS AS AN HSEQ PROF. WITH EXPERIENCE IN ALL ASPECTS OF HSEQ.
- UNDERGRADUATE DEGREE IN PUBLIC SAFETY
- 8 YEARS AS A FULL TIME + RESERVE POLICE OFFICER (LAKEVIEW P.D.)

Please list any civic or community endeavors in which you have been involved:

- RESERVE POLICE (LANEVIEW P.D.)
- BAYSIDE AREA LITTLE LEAGUE, BOY SCOUT PACK 389

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature _____

8 APRIL 2014
Date

Return to:

Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted __/__/__ Received by: _____ Date(s) Interviewed _____
Comments:

Date Appointed: _____

John Chester

CITY OF SEABROOK

BOARDS/COMMISSION/CORPORATIONS

APPLICATION AND INFORMATION STATEMENT

QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK
BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:

☒ You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)

☒ You are a qualified City of Seabrook voter at the time of appointment. Certification #
1119796284 _____

☒ You have no felony conviction for which you have not been pardoned.

☒ You are not an adversary party to pending litigation against the City.

☒ You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference.
Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review Commission 1 _____

Civil Service Commission _____ Comprehensive Master Plan Review Commission _____

EDC _____ Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: _____ John H. Chisler

HOME ADDRESS: _____ 2406 Duhon Place

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS _____:

DAY TIME PHONE: _____

PROFESSION: _____

_____ Retired _____

BUSINESS NAME AND ADDRESS: _____

_____ N/A _____

PERSONAL REFERENCES:

Name Pete Braccio
Daytime Phone # _____

Address 1868 Dolphin Drive

How long have you lived in the City of Seabrook?

21years,8mos

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

Planning and Zoning Commission—1996—2008; Civil Service Commission 2011—Present; Master Plan Commission (approximately 2007)

Have you ever been convicted of a crime, other than minor traffic violations? No

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, (, and certificates)?

Former City Council Member 1993-1995; 12 Years member P&Z(Chaired commission for 10 Years); currently President Civil Service Commission. Graduate Degree Business and Industry. Retired from NASA with 40 years Federal Service.

Please list any civic or community endeavors in which you have been involved:

Seabrook Association; Former President Lake Cove Homeowners Association(10 years)

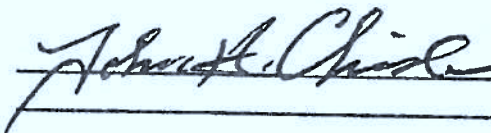
I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

 5-27-2014

Signature

Date

Return to: Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Rev. 03/13

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

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- You have been a resident of Seabrook for at least six months prior to the date of appointment. (One year for appointment to the P&Z Commission and Board of Adjustment.)
- You are a qualified City of Seabrook voter at the time of appointment. Certification # 58088766
- You have no felony conviction for which you have not been pardoned.
- You are not an adversary party to pending litigation against the City.
- You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Civil Service Commission _____ EDC _____

Ethics Review Commission _____ Open Space & Trails Commission _____

P&Z Commission _____ Public Safety _____ Other ☒ Charter Review Commission

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Laura Davis

HOME ADDRESS: 2516 Wild Oak Forest Ln

HOME PHONE: _____ CRI PHONE: _____

E-MAIL ADDRESS: L. _____

DAY TIME PHONE: 281.106.1165

PROFESSION: Preschool teacher

BUSINESS NAME AND ADDRESS: University Bapt. Church, 16106 Middlebrook Dr., Houston, Tx

PERSONAL REFERENCES:

Name	Address	Daytime Phone #
<u>Glenn Royal</u>	<u>3906 Breezeny Dr.</u>	<u> </u>
<u>Kim Jernigan</u>	<u>3222 Scenic Shore Dr.</u>	<u> </u>

How long have you lived in the City of Seabrook? 10 years in August.

6/17

Name of Applicant:

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

Hotel Tax Board (2006-2008; Chair 2007-2008); City Council (2008-2014); Public Safety Committee/Task Force (2009-2014)

Have you ever been convicted of a crime, other than minor traffic violations?

No.

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

BS in Political Science from ATM; see above.

Please list any civic or community endeavors in which you have been involved:

City's 50th Celebration; PTA@Ed White; VRS Director@
University Baptist Church

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application. Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interests" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature _____

5/22/14
Date

Return to:

Michelle L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.

OFFICE USE ONLY

Date Submitted ___/___/___ Received by: _____ Date(s) Interviewed _____
Comment:

Contents

Date Appointed: _____

**CITY OF SEABROOK
BOARDS/COMMISSION/CORPORATIONS
APPLICATION AND INFORMATION STATEMENT**

**QUALIFICATIONS FOR APPOINTMENT TO THE CITY OF SEABROOK
BOARDS/COMMISSIONS/CORPORATIONS ARE AS FOLLOWS:**

- ☐ ☐ You have been a resident of Seabrook for at least six months prior to the date of appointment.
(One year for appointment to the P&Z Commission and Board of Adjustment.)
- ☐ ☐ You are a qualified City of Seabrook voter at the time of appointment. Certification # 22933063
- ☐ ☐ You have no felony conviction for which you have not been pardoned.
- ☐ ☐ You are not an adversary party to pending litigation against the City.
- ☐ ☐ You are not in arrears on any city taxes, water service charges or other obligations owed the City.

Please number the Boards/Commissions/Corporations you wish to serve on in order of preference. Please do not select more than three (3) boards on which you wish to serve.

Board of Adjustment/Building Standards _____ Charter Review
Commission 1

Civil Service Commission _____ Comprehensive Master Plan Review
Commission 2

EDC 3 _____ Ethics Review Commission _____ Open Space & Trails
Commission _____

P&Z Commission _____

ALL INFORMATION ON THIS APPLICATION WILL BECOME PUBLIC RECORD.

NAME: Delaina Hanssen

HOME ADDRESS: 3705 NASA Parkway, Seabrook, TX 77586

HOME PHONE: _____ CELL PHONE: _____

E-MAIL ADDRESS : _____

6/17

DAY TIME PHONE: _____

PROFESSION: _____ Innkeeper

BUSINESS NAME AND ADDRESS: _____ Beacon Hill B&B, 3701 NASA Parkway,
Seabrook, TX 77586 _____

PERSONAL REFERENCES:

Name	Address
Daytime Phone #	

Robert & Mariann Kidd	Seabrook
-----------------------	----------

Jimmy Cluck	LaPorte
-------------	---------

How long have you lived in the City of Seabrook? _____ 35 years _____

If you have been a member of a Seabrook Board/Commission/Corporation before, please indicate the Board, Commission or Corporation and the approximate dates of service:

Hotel Occupancy Tax Committee, approx. 1996-2003

Have you ever been convicted of a crime, other than minor traffic violations?

_____ NO _____

What experience do you have that may qualify you for service on a particular Board, Commission or Corporation (i.e. licenses, degrees, and certificates)?

20 years administrative and planning experience at IBM.

18 years administrative, planning and execution of running a small business.

7 years attending the HOT committee meetings without one absence, acting as member, secretary and chair.

Please list any civic or community endeavors in which you have been involved:

I have participated in the annual Trash Bash.

I understand that applicants for board positions will be interviewed by City Council during a Council meeting. A list of typical questions is included with this application.

Other questions may be asked during the interview. I will be contacted by the city secretary's office for an interview date and time.

I understand that if appointed, I must adhere to the Ethics Ordinance, including Section 2-239, that requires all members of the Board of Adjustment, EDC and Planning and Zoning Commission to complete a disclosure statement within 10 business days of appointment. (See attached.)

I agree to be bound by the Seabrook Charter, including Section 11.09, "Personal Interest" (See attached.)

I understand that State law requires that I undergo one hour of training concerning the Opening Meetings Act within 90 days of my appointment.

I hereby affirm the information provided herein is true and correct to the best of my knowledge.

Signature _____ Delaina Hanssen _____
Date _____ May 23, 2014 _____

Return to: Michele L. Glaser, City Secretary
1700 First St.; Seabrook, TX 77586
(281)291-5663; FAX (281)5710
mglaser@seabrooktx.gov or mbrant@seabrooktx.gov

This application will remain on file for one year.
OFFICE USE ONLY

Date Submitted 5/23/14 Received by: 5/27/14 MB/MG Date(s)
Interviewed _____
Comments: _____

Date Appointed: _____

The Seabrook Planning and Zoning Commission met on Tuesday, May 15, 2014 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS	CHAIRMAN
BUDDY HAMMANN (Excused Absence)	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS (Excused Absence)	MEMBER
STEVE WEATHERED	CITY ATTORNEY
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Chairman Potts called the meeting to order at 7:02 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS – None

2.0 SPECIFIC PUBLIC HEARINGS

2.1 Request for approval of a Short-Form Plat for Harbortown Estates.

Sean Landis gave a brief report. He stated that the applicant is requesting approval of a Short-form plat to change the 16 foot utility easement, drainage easement and building line to a 10 foot utility easement, drainage easement and building line. Mr. Landis stated that he has communicated with the Director of Public Works and currently there are no utilities of any type in the easements and there is not a need for a 16 ft. drainage easement. There are no variances requested. Staff has reviewed the Short Form Plat, and finds it to be compliant with the City's Subdivision and Zoning Ordinances. Staff recommends approval.

Randy Heinbaugh, Eddie Sullivan, and Holly Cayle, Todville Road, stated that they were against the request for the following reasons: the 10 foot utility easement should be changed to 16 feet; their concern was the building line, this would give the developer the opportunity to increase the square footage of the structure; and this would put more light and noise on the neighbors.

Chairman Potts stated that they would be combining the specific public hearing for items 2.2 and 2.3.

2.2 Request to change the zoning classification of land described below from the current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).

2.3 Request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Mr. Landis gave a brief report. He stated that Mr. Boswell wishes to rezone the aforementioned property to allow for the development of a master planned retail commercial center to be named "Seabrook Town Center". The development will be designed to include an anchor store, adjacent lease spaces and individual perimeter pad sites where businesses along Hwy. 146 could possibly relocate. Mr. Landis stated that there is a requirement in the C-2 Zoning Ordinance that requires a

50 foot landscape buffer and an 8 ft. cinder block continuous wall between any C-2 commercial and R-1 residential uses. He stated that there was a stub street that goes into Oakridge Meadows and there has been some concern that there would be cross connectivity between the development and that neighborhood, that is not something that the developer is proposing and staff would not support it. The required 8 ft. buffer wall would cross that right-of-way.

Roby Hardy, Santa Barbara, California, stated that he is a partner of Pacific Ridge Development. Mr. Hardy stated that they acquired the majority of this property about 15 years ago. They had 40 acres originally and 20 acres has been developed as residential. He stated that they had donated land for the traffic circle. Mr. Hardy stated that around three years ago they were contacted by Kelly Templin, the Seabrook City Manager at that time, and he related that the City was concerned about the Hwy. 146 expansion. Mr. Templin stated that when that occurred, the majority of Seabrook's commercial retail would be eliminated. Mr. Templin also stated that with the age and size of the existing grocery store, Seabrook would be left without a grocery anchor. He asked Pacific Ridge Development to stand down and wait on developing the rest of the property with the potential opportunity, at a later date, to offer a location for the businesses to relocate. Mr. Hardy stated that they were asked to come up with a master plan, showing pad sites where these businesses could relocate. He stated that the majority of the businesses that will need to relocate will need C-2 zoning. This is the only property large enough for a grocery anchor. He stated that he has met with all of the business owners along Hwy. 146 and they all would like to stay in Seabrook. They will not stay in Seabrook if they do not have a place to go.

The following citizens spoke against the rezoning requests stating that they were concerned about proximity to the school and church and the sell of alcohol; the decrease in property values of the neighboring residents; increase in traffic and crime in the area; and, noise level and lighting at night:

Jennise Richardson, Sea Channel Dr.
Theresa Meyers, Lakeway Dr.
Scott Frede, Oak Dale Way
David Willard, Lakeway Dr.
Jeff Tave, Pine View Circle, El Lago
David Johnson, Wild Oak Forest Lane

Norman Young, Oak Dale Way
Elizabeth Rimmer, Vermillion
Juan Umana, Wild Oak Forest Lane
Gary Cooling, Loch Lake Dr., El Lago
Diane Kmetz, Vermillion

Mike DeHart asked if there would be a grocery store.

Mr. Hardy stated yes.

Mr. Hardy stated that he did not think that they were in violation of any alcohol codes.

Mr. Landis stated that the alcohol code for a church, school or daycare is 300 feet.

Mr. Hardy stated that they were way in excess of 300 feet.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 8:00.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.1 Discussion, consideration, and possible action regarding the request for approval of a Short-Form Plat for Harbortown Estates.

103 **Motion was made by Mike DeHart and seconded by Rosebud Caradec**
104

105 *To approve the Short-Form Plat for Harbortown Estates as presented.*
106

107 Ms. Caradec asked if the change to the easements would change the required setbacks.
108

109 Mr. Landis stated no.
110

111 Mr. Sharpe asked if this change would affect how close the building could get to the road.
112

113 Mr. Landis stated yes, however, the subdivision ordinance does not require a 16 ft. side setback, how
114 it is currently platted, it would be set back further. The change that they are requesting does meet
115 our subdivision ordinance and complies with our zoning ordinance without any type of variance.
116 They are not asking for a variance to the ordinances
117

118 Ayes: Caradec, DeHart, Miller, and Potts
119

119 Nays: Sharpe
120

121 **MOTION CARRIES BY MAJORITY VOTE.**
122

123 **3.2 Discussion, consideration, and possible action regarding a request to change the zoning**
124 **classification of land described below from the current classification of R-1 (Residential –**
125 **Single Family Detached) to C-2 (Commercial Medium).**
126

127 **Motion was made by Dodie Miller and seconded by Rosebud Caradec**
128

129 *To disapprove the request to change the zoning classification of land described below from the*
130 *current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).*
131

132 Mr. Miller stated that he did not think they needed any more development.
133

134 Ms. Caradec stated that they were going to need room for all of the businesses that they were going
135 to lose with the expansion of Hwy. 146, and that this is a serious problem. She stated that the
136 conceptual design shown has a negative effect.
137

138 Steve Weathered stated that this was a rezoning request and that any of the conceptual plan is not
139 binding.
140

141 Mr. DeHart stated that there were other areas in the City where you could build a grocery store. He
142 stated that the only thing he would consider for the R-1 portion is C-1 with a conditional use.
143

144 Mr. Sharpe stated that he is opposed to changing the R-1 to C-2, because it is backing up to the
145 neighborhoods. He stated that the traffic is already a nightmare on Lakeside.
146

147 Ayes: Caradec, DeHart, Miller, and Sharpe
148

148 Nays: None
149

149 Abstained: Potts
150

151 **MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.**
152

3.3 Discussion, consideration, and possible action regarding a request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Motion was made by Rosebud Caradec and seconded by Mike DeHart

To approve the request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Mr. DeHart stated that every C-2 use should be a conditional use.

Ms. Caradec stated that she has a problem with the traffic in a C-2 zone. She stated that most of the C-2 zone uses produce heavier traffic and this could create problems.

Ayes: None

Nays: Caradec, DeHart, Miller, and Sharpe

Abstained: Potts

MOTION DENIED BY UNANIMOUS CONSENT OF THOSE VOTING.

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the April 17, 2014 Planning & Zoning meeting.

Motion was made by Rosebud Caradec and seconded by Dodie Miller

To approve the April 17, 2014 Planning & Zoning Commission minutes as written.

Ayes: Caradec, Miller, and Potts

Abstained: DeHart and Sharpe

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

5.0 ROUTINE BUSINESS

5.1 Discussion and Consideration of the Community Development Activity Summary.

Sean Landis gave a brief report.

5.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

5.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting dates.

Chairman Potts stated that the next P&Z meeting would be on June 19th, 2014 and the following would be discussed:

- Development at the Point
- Land Use Matrix
- Rezoning of the Point
- Repealing Sec. 8.07 Properties made nonconforming by right-of-way acquisition.

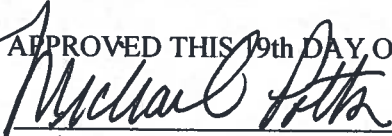
Motion was made by Rosebud Caradec and seconded by Michael Sharpe

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:20 p.m.

APPROVED THIS 19th DAY OF JUNE, 2014.



Michael Potts, Chairman



Alesia Hammock, Secretary

Planning & Zoning Commission OFFICIAL REPORT

The Planning and Zoning Commission of the City of Seabrook met on May 15, 2014 to hold a meeting to consider:

Request to change the zoning classification of a 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 15A, 16, 17A, 18E, Ruggles West Subdivision, from the current classification of R-1 (Residential - Single Family Detached) to C-2 (Commercial Medium). This property is located immediately east of Lakeside Drive, south of Oak Dale Way and north of the Repsdorph Traffic Circle.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☐ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☒
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on May 15, 2014, as designated below and as certified by the signature of the Chairman. This document is not valid unless signed by the Chairman/Presiding Commissioner.

Motion was made to disapprove rezoning request.
Negative recommendation.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Rosebud Caradec	X				<i>RC</i>
Mike DeHart	X				<i>MD</i>
Buddy Hammann				X	
Bolivar Lewis				X	
Dodie Miller	X				<i>DM</i>
Michael Potts			X		<i>MP</i>
Michael Sharpe	X	X			<i>MDS</i>

Michael Potts
Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:

Alesia L. Hammock
Alesia L. Hammock
Secretary

The Seabrook Planning and Zoning Commission met on Tuesday, May 15, 2014 in regular session at Seabrook City Hall, 1700 First Street, Seabrook, Texas to consider and if appropriate, take action on the agenda items listed below:

THOSE PRESENT WERE:

MICHAEL POTTS	CHAIRMAN
BUDDY HAMMANN (Excused Absence)	VICE CHAIRMAN
ROSEBUD CARADEC	MEMBER
MIKE DEHART	MEMBER
DODIE MILLER	MEMBER
MICHAEL SHARPE	MEMBER
BOLIVAR LEWIS (Excused Absence)	MEMBER
STEVE WEATHERED	CITY ATTORNEY
SEAN LANDIS	DIRECTOR OF COMMUNITY DEVELOPMENT
ALESIA HAMMOCK	SECRETARY

Chairman Potts called the meeting to order at 7:02 p.m. and stated there was a quorum present.

1.0 ROUTINE PUBLIC HEARING AND ANNOUNCEMENTS – None

2.0 SPECIFIC PUBLIC HEARINGS

2.1 Request for approval of a Short-Form Plat for Harbortown Estates.

Sean Landis gave a brief report. He stated that the applicant is requesting approval of a Short-form plat to change the 16 foot utility easement, drainage easement and building line to a 10 foot utility easement, drainage easement and building line. Mr. Landis stated that he has communicated with the Director of Public Works and currently there are no utilities of any type in the easements and there is not a need for a 16 ft. drainage easement. There are no variances requested. Staff has reviewed the Short Form Plat, and finds it to be compliant with the City's Subdivision and Zoning Ordinances. Staff recommends approval.

Randy Heinbaugh, Eddie Sullivan, and Holly Cayle, Todville Road, stated that they were against the request for the following reasons: the 10 foot utility easement should be changed to 16 feet; their concern was the building line, this would give the developer the opportunity to increase the square footage of the structure; and this would put more light and noise on the neighbors.

Chairman Potts stated that they would be combining the specific public hearing for items 2.2 and 2.3.

2.2 Request to change the zoning classification of land described below from the current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).

2.3 Request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Mr. Landis gave a brief report. He stated that Mr. Boswell wishes to rezone the aforementioned property to allow for the development of a master planned retail commercial center to be named "Seabrook Town Center". The development will be designed to include an anchor store, adjacent lease spaces and individual perimeter pad sites where businesses along Hwy. 146 could possibly relocate. Mr. Landis stated that there is a requirement in the C-2 Zoning Ordinance that requires a

50 foot landscape buffer and an 8 ft. cinder block continuous wall between any C-2 commercial and R-1 residential uses. He stated that there was a stub street that goes into Oakridge Meadows and there has been some concern that there would be cross connectivity between the development and that neighborhood, that is not something that the developer is proposing and staff would not support it. The required 8 ft. buffer wall would cross that right-of-way.

Roby Hardy, Santa Barbara, California, stated that he is a partner of Pacific Ridge Development. Mr. Hardy stated that they acquired the majority of this property about 15 years ago. They had 40 acres originally and 20 acres has been developed as residential. He stated that they had donated land for the traffic circle. Mr. Hardy stated that around three years ago they were contacted by Kelly Templin, the Seabrook City Manager at that time, and he related that the City was concerned about the Hwy. 146 expansion. Mr. Templin stated that when that occurred, the majority of Seabrook's commercial retail would be eliminated. Mr. Templin also stated that with the age and size of the existing grocery store, Seabrook would be left without a grocery anchor. He asked Pacific Ridge Development to stand down and wait on developing the rest of the property with the potential opportunity, at a later date, to offer a location for the businesses to relocate. Mr. Hardy stated that they were asked to come up with a master plan, showing pad sites where these businesses could relocate. He stated that the majority of the businesses that will need to relocate will need C-2 zoning. This is the only property large enough for a grocery anchor. He stated that he has met with all of the business owners along Hwy. 146 and they all would like to stay in Seabrook. They will not stay in Seabrook if they do not have a place to go.

The following citizens spoke against the rezoning requests stating that they were concerned about proximity to the school and church and the sell of alcohol; the decrease in property values of the neighboring residents; increase in traffic and crime in the area; and, noise level and lighting at night:

Jennise Richardson, Sea Channel Dr.
Theresa Meyers, Lakeway Dr.
Scott Frede, Oak Dale Way
David Willard, Lakeway Dr.
Jeff Tave, Pine View Circle, El Lago
David Johnson, Wild Oak Forest Lane

Norman Young, Oak Dale Way
Elizabeth Rimmer, Vermillion
Juan Umana, Wild Oak Forest Lane
Gary Cooling, Loch Lake Dr., El Lago
Diane Kmetz, Vermillion

Mike DeHart asked if there would be a grocery store.

Mr. Hardy stated yes.

Mr. Hardy stated that he did not think that they were in violation of any alcohol codes.

Mr. Landis stated that the alcohol code for a church, school or daycare is 300 feet.

Mr. Hardy stated that they were way in excess of 300 feet.

Chairman Potts closed the Specific Public Hearing portion of the meeting at 8:00.

3.0 NEW BUSINESS – The Commission will discuss, consider, and if appropriate, take action on the items listed below.

3.1 Discussion, consideration, and possible action regarding the request for approval of a Short-Form Plat for Harbortown Estates.

103 **Motion was made by Mike DeHart and seconded by Rosebud Caradec**
104

105 *To approve the Short-Form Plat for Harbortown Estates as presented.*
106

107 Ms. Caradec asked if the change to the easements would change the required setbacks.
108

109 Mr. Landis stated no.
110

111 Mr. Sharpe asked if this change would affect how close the building could get to the road.
112

113 Mr. Landis stated yes, however, the subdivision ordinance does not require a 16 ft. side setback, how
114 it is currently platted, it would be set back further. The change that they are requesting does meet
115 our subdivision ordinance and complies with our zoning ordinance without any type of variance.
116 They are not asking for a variance to the ordinances
117

118 Ayes: Caradec, DeHart, Miller, and Potts
119

119 Nays: Sharpe
120

121 **MOTION CARRIES BY MAJORITY VOTE.**
122

123 **3.2 Discussion, consideration, and possible action regarding a request to change the zoning**
124 **classification of land described below from the current classification of R-1 (Residential –**
125 **Single Family Detached) to C-2 (Commercial Medium).**
126

127 **Motion was made by Dodie Miller and seconded by Rosebud Caradec**
128

129 *To disapprove the request to change the zoning classification of land described below from the*
130 *current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).*
131

132 Mr. Miller stated that he did not think they needed any more development.
133

134 Ms. Caradec stated that they were going to need room for all of the businesses that they were going
135 to lose with the expansion of Hwy. 146, and that this is a serious problem. She stated that the
136 conceptual design shown has a negative effect.
137

138 Steve Weathered stated that this was a rezoning request and that any of the conceptual plan is not
139 binding.
140

141 Mr. DeHart stated that there were other areas in the City where you could build a grocery store. He
142 stated that the only thing he would consider for the R-1 portion is C-1 with a conditional use.
143

144 Mr. Sharpe stated that he is opposed to changing the R-1 to C-2, because it is backing up to the
145 neighborhoods. He stated that the traffic is already a nightmare on Lakeside.
146

147 Ayes: Caradec, DeHart, Miller, and Sharpe
148

148 Nays: None
149

149 Abstained: Potts
150

151 **MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.**
152

3.3 Discussion, consideration, and possible action regarding a request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Motion was made by Rosebud Caradec and seconded by Mike DeHart

To approve the request to change the zoning classification of land described below from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Mr. DeHart stated that every C-2 use should be a conditional use.

Ms. Caradec stated that she has a problem with the traffic in a C-2 zone. She stated that most of the C-2 zone uses produce heavier traffic and this could create problems.

Ayes: None

Nays: Caradec, DeHart, Miller, and Sharpe

Abstained: Potts

MOTION DENIED BY UNANIMOUS CONSENT OF THOSE VOTING.

4.0 APPROVAL OF MINUTES

4.1 Discussion, consideration and possible action concerning the minutes from the April 17, 2014 Planning & Zoning meeting.

Motion was made by Rosebud Caradec and seconded by Dodie Miller

To approve the April 17, 2014 Planning & Zoning Commission minutes as written.

Ayes: Caradec, Miller, and Potts

Abstained: DeHart and Sharpe

MOTION CARRIES BY UNANIMOUS CONSENT OF THOSE VOTING.

5.0 ROUTINE BUSINESS

5.1 Discussion and Consideration of the Community Development Activity Summary.

Sean Landis gave a brief report.

5.2 Report from the Director of Planning and Community Development on the status of a list of actions taken by Planning & Zoning and sent to City Council for its action or review.

Sean Landis gave a brief report.

5.3 Discussion with staff and P&Z Commission to establish future agenda items and meeting dates.

Chairman Potts stated that the next P&Z meeting would be on June 19th, 2014 and the following would be discussed:

- Development at the Point
- Land Use Matrix
- Rezoning of the Point
- Repealing Sec. 8.07 Properties made nonconforming by right-of-way acquisition.

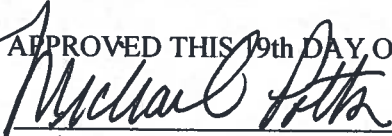
Motion was made by Rosebud Caradec and seconded by Michael Sharpe

To adjourn the Planning & Zoning Commission meeting.

MOTION CARRIES BY UNANIMOUS CONSENT.

Having no further business, the meeting adjourned at 8:20 p.m.

APPROVED THIS 19th DAY OF JUNE, 2014.



Michael Potts, Chairman



Alesia Hammock, Secretary

Planning & Zoning Commission OFFICIAL REPORT

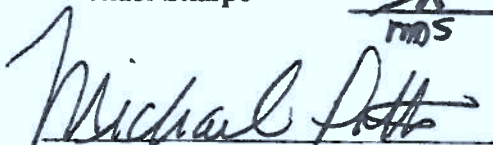
The Planning and Zoning Commission of the City of Seabrook met on May 15, 2014 to hold a meeting to consider:

Request to change the zoning classification of a 20.3014 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas, Savings and Loan Company Subdivision, from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium); consisting of 7.5973 acres being out of and a part of Lots 7A and 7B, this property is located immediately west of the Repsdorph Traffic Circle, and is adjacent to the Seabrook city limits; 6.6960 acres being out of and a part of Lot 8, this property is located immediately east of the Repsdorph Traffic Circle, and north of Repsdorph Road; and 6.0081 acres being out of and a part of Lots 7A-1, 7B-1, and 8B, this property is located immediately south of the Repsdorph Traffic Circle, and north of Vermillion Road.

THE PLANNING & ZONING COMMISSION MADE THE FOLLOWING RECOMMENDATION:

APPROVAL ☐ APPROVAL WITH AMENDMENTS/CONDITIONS (SEE BELOW) ☐ DENIAL ☒
by a concurring vote of a majority of members of the Planning and Zoning Commission present at the meeting on May 15, 2014, as designated below and as certified by the signature of the Chairman. This document is not valid unless signed by the Chairman/Presiding Commissioner.

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>INITIAL</u>
Rosebud Caradec		X			RC
Mike DeHart		X			MD
Buddy Hammann				X	
Bolivar Lewis				X	
Dodie Miller		X			DM
Michael Potts			X		MP
Michael Sharpe	X	X			MS


Michael Potts, Chairman
Planning & Zoning Commission

ATTEST:


Alesia L. Hammock
Secretary

Revised 01/12

**CITY OF SEABROOK
PARADE, CARNIVAL, SHOW, FESTIVAL,
SPECIAL OR COMMUNITY EVENT
APPLICATION**

Date of Application: 6-3-14 Name of Applicant: Pete Cahill
Full Address of Applicant: Bay Area Running Club 2427 Bay Area Blvd Houston TX 7705
Day Time Phone (281) 480-5388 Night time phone (832) 768-1125
e-mail address: Tejasspedbor@gmail.com

Name of Organization, Firm or Corporation on whose behalf this application is made:

Bay Area Running Club

Address of Organization (if different from above): (same)

City _____ State _____ Zip Code _____

Phone Number of Organization (if different from above): (same)

Is the organization recognized as a non-profit organization for tax purposes? yes

Requested Date(s) and Times of the Event: Aug. 2nd 6:00 AM to 11:00 AM

Location of the Event: Outriggers, 101 Bay St. Seabrook TX 77586

Will any portion of this event be held on city property? If so, where?
NO

Note: If you will hold the event in a city park or facility, you must also complete an additional application to use city facilities.

Give a brief description of the event: 5-K (3.1 miles) out and back Fun Run to RAISE money for CROSSROADS.

Estimated No. of Workers 12 Estimated No. of Attendees _____

Will the event be held in a parking area? NO. If so, how many parking spaces will be temporarily lost? N/A

How many parking spaces are you providing for the event? 100

Will alcohol be served? NO If so, you are required to pay an additional deposit if you wish to serve alcohol on city property. You must also contact the Texas Alcoholic Beverage Commission.

Will admission be charged for this event? yes, entry fee.

Dep. \$200 Permit \$50

Special Events Application
Revised 01/12
Page 2

Do you want to display temporary signs or banners to advertise this event? NO

Number of signs for this event N/A Complete the sign permit application attached to the packet. Please note that signs may only be displayed on private property, with the property owners' permission and with a city permit. Signs are not permitted in any street rights-of-way.

If this event is a parade, please answer the following additional questions.

Proposed Route (Attach Map): BATH ST AND TODVILLE RD,
west on 2nd St, north on north Myer to hammer st
+ BATH.

Estimated number and kind of animals to be used: N/A

Estimated number of parade participants including, animals and riders, bicycle riders, animal-drawn vehicles, floats motor vehicles, motorized displays and marching units or organizations, such as bands, color-guards, and drill teams: 150 Runners

THIS SECTION NEEDS TO BE COMPLETED IN ORDER TO PROCESS YOUR APPLICATION.

This application has been reviewed by the Seabrook Police Chief or designee and the signature below verifies that adequate provisions for security have been made by the applicant.

Bryan Brand
Print name
Police Department Representative

6-9-14
Date Approved

[Signature] #604
Signature
Police Department Representative

Comments: 2 officers being paid to secure traffic
@ 2nd & Toddville / 2nd & Toddville

I have enclosed the following items as part of my application and have initialed each relevant item:

1. _____ completed applications form including approval by the Seabrook Police Department.
2. _____ If the event is to be held on city property, an additional application for the use of city facilities.
3. _____ Permit fee in the amount of \$ 50.00. (Non-profit organizations may substitute a letter of request to the City Council requesting a waiver of the permit fee.

Special Events Application
Revised 01/12
Page 3

4. _____ If event is a parade a deposit fee of _____ is included. Deposits are not waived.
5. _____ A certificate of insurance, naming the City of Seabrook as certificate holder. This insurance provides protection of not less than \$100,000 against liability for damages to property and protection of not less than \$100,000 for protection of injury to the death of one person and of not less than \$300,000 for protection against injury to death of two or more persons in a single accident or occurrence. (A sample certificate of insurance is enclosed.)
6. _____ For special events, a site plan is attached as required by the Code of the City of Seabrook, Section 4.07. (See attached excerpt.)
7. _____ For parades, a map showing the parade route is attached.

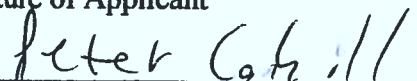
NO APPLICATION WILL BE ACCEPTED UNLESS ALL ITEMS LISTED ABOVE ARE PROVIDED.

As applicant, I certify that all information contained in this application is true and correct to the best of my knowledge. I state that I am fully authorized to act and contract for any persons, organizations, firms or corporations on whose behalf this application is made. As applicant for the above organization, I do contract and agree that they will jointly and severally, indemnify and hold the City of Seabrook harmless against liability for any and all claims for damage to property or injury to or death of persons arising out of or resulting from the issuance of the permit or the conduct of the participants. As applicant, I understand that I may be held liable as principal in place of the organization for the cost of cleaning or repairing city property which may have sustained damage as a result of the special event. I understand that a special events permit may be issued for no more than five consecutive days. If the permit is granted, I, as representative, agree to adhere to all city ordinances regarding the special event.

I understand that If I am applying to use a city park, community house or other city facility to hold this event, additional applications and fees will be required. I also understand that all required applications, accompanying documents and fees must be submitted to the City Secretary's Office at least 30 days prior to the date of the event, and that the event may not be held without approval of the Seabrook City Council. I have read and have agreed to the above conditions.



Signature of Applicant



Printed Name of Applicant



Date Submitted

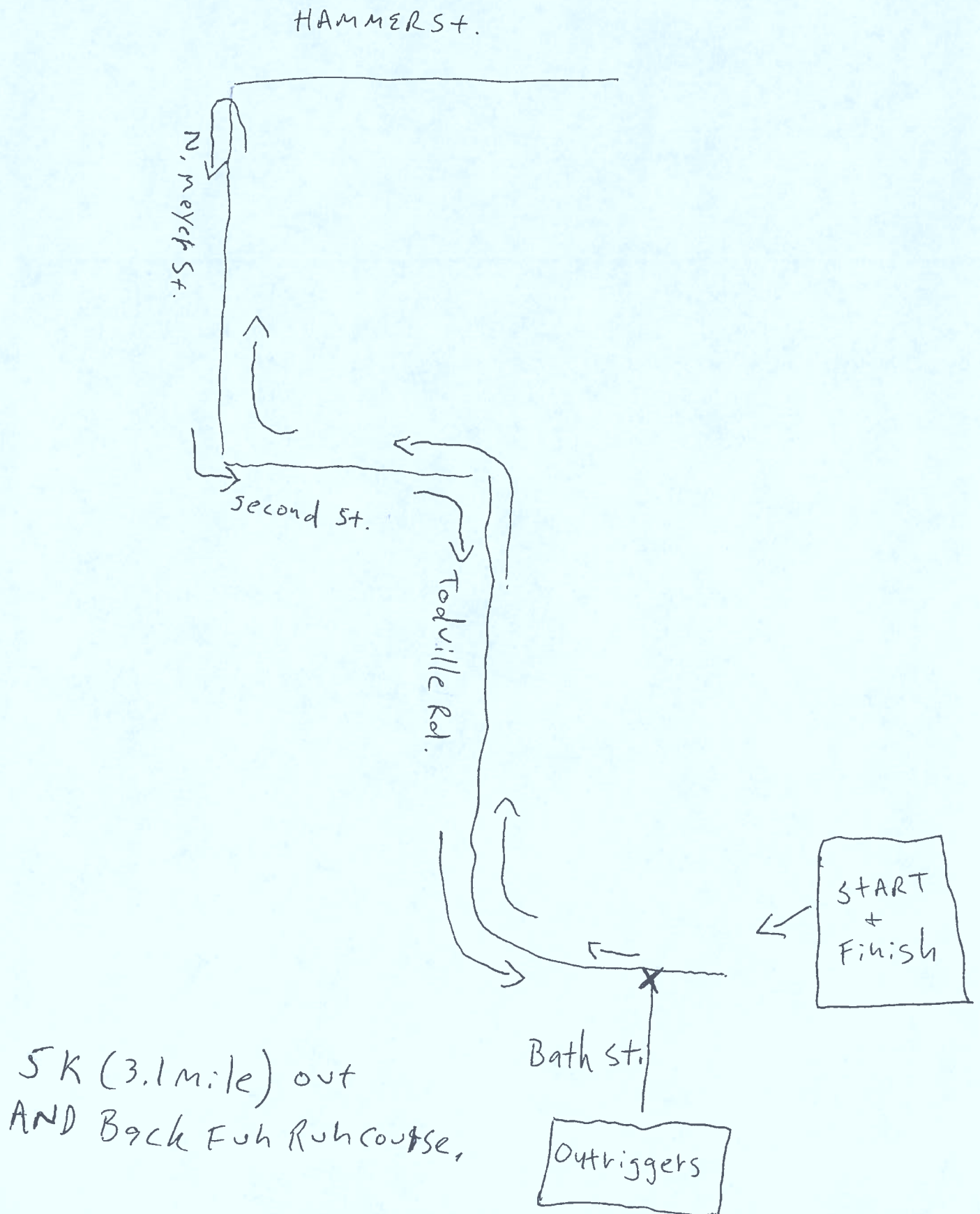
FOR OFFICE USE ONLY

Reviewed by City Secretary _____ Date _____

If applicable: Fire Marshal notified _____ Building Official Notified _____ City Mgr _____

This application has been reviewed by the Seabrook City Council on _____
and has been APPROVED DENIED.

The following conditions are placed upon this event: _____



CITY OF SEABROOK

***** REPRINT RECEIPT*****

REC#: 00583649 6/26/2014 3:13 PM
OPER: 006 TERM: 006
REF#: 2528

TRAN: 3.0000 LICENSES & PERMITS
BAY AREA RUNNING CLUB/SPECIAL
EVENT / 8-2-14
LICENSES & PERMITS/ 50.00CR

TRAN: 4.0000 COMM HSE/CAROTHER'S
BAY AREA RUNNING CLUB/8-2-14
SPECIAL EVENT
COMMUNITY HOUSE DEP 200.00CR

TENDERED: 250.00 CHECK
APPLIED: 250.00-

CHANGE: 0.00

City Council Regular Meeting
June 17, 2014
Page 1

The City Council of the City of Seabrook met in regular session on Tuesday, June 17, 2014 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL (exc. abs.)

ROBERT LLORENTE

MIKE GIANGROSSO

GARY JOHNSON

MELISSA BOTKIN

THOM KOLUPSKI

O.J. MILLER

GAYLE COOK

SEAN LANDIS

STEVEN L. WEATHERED

MEREDITH BRANT

MAYOR

COUNCIL PLACE NO. 1

COUNCIL PLACE NO. 2

MAYOR PRO TEM & COUNCIL PLACE
NO. 3

COUNCIL PLACE NO. 4

COUNCIL PLACE NO. 5

COUNCIL PLACE NO. 6

CITY MANAGER

ASSISTANT CITY MANAGER

CITY ATTORNEY

ASSISTANT CITY SECRETARY

Mayor Pro Tem Johnson called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledges of Allegiance.

1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

1.1 Interview applicants for the Charter Review Commission and the Comprehensive Master Plan Review Commission with appointments to be made in July.

John Chisler, Laura Davis and Delaina Hanssen were interviewed for the Charter Review Commission.

2.0 PRESENTATIONS

2.1 Presentation of the Seabrook Strategic Plan 2014 by Ron Cox of Ron Cox Consulting and City Directors.

Mr. Cox gave an overview of the planning sessions, the vision for Seabrook, the mission statement and the resulting Plan.

3.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Nancy Jones of Seabrook invited everyone to attend the Fourth of July Kids' Parade.

Laura Davis of Seabrook stated that her neighborhood is most directly affected by the proposed zoning change which will be on the agenda on July 1. While some may oppose it, she urged council to do the right thing for Seabrook's economic growth and approve it.

3.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Councilor Giangrosso made announcements which included:

- The city is still accepting applications for Charter Review and Master Plan Review Commissions
- Texas Outlaw Challenge will be June 19-22
- 4th of July Kids Parade at Meador Park on Friday, July 4
- Special City Council meetings will be held on July 8 and July 22.

4.0 CONSENT AGENDA

4.1 Approve the April and May 2014 Public Safety Reports. (Wright)

4.2 Approve the April 2014 Building Report. (Landis)

4.3 Approve the May 2014 Building Report. (Landis)

4.4 Approve the June 3, 2014 special meeting minutes. (Glaser)

4.5 Approve the June 3, 2014 regular meeting minutes. (Glaser)

4.6 Consider second and final reading of proposed Ordinance No. 2014-10, "Standards for Planned Unit Developments, Replace the Minimum Size Requirement with a Minimum Common Open Space Requirement." (P&Z Commission)

AN ORDINANCE AMENDING THE SEABROOK CITY CODE, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 4 "SPECIAL USE REGULATIONS", SECTION 4.10, "PLANNED UNIT DEVELOPMENTS," BY RENAMING SUBSECTION, 4.10.05 "MINIMUM PUD PARCEL SIZE" TO "MINIMUM COMMON OPEN SPACE" TO REMOVE THE CURRENT MINIMUM PUD SIZE REQUIREMENT OF AT LEAST 3.5 ACRES AND TO ALLOW 20 PERCENT OF PARKING AREAS TO BE INCLUDED FOR THE REQUIREMENT FOR COMMON OPEN SPACE; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

4.7 Consider second and final reading of proposed Ordinance No. 2014-12, "Commercial Filming Regulations." (Dearman)

AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ARTICLE 22

91 **"BUSINESSES" BY ADDING A NEW ARTICLE IV ENTITLED**
92 **"COMMERCIAL FILMING" REQUIRING A PERMIT FOR COMMERCIAL**
93 **FILMING IN THE CITY OF SEABROOK; ESTABLISHING POLICIES,**
94 **PROCEDURES AND REGULATIONS AS THEY RELATE TO FILMING;**
95 **PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN \$500**
96 **FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR**
97 **SAVINGS AND SEVERABILITY; PROVIDING FOR PUBLICATION; AND**
98 **MAKING OTHER PROVISIONS AND FINDINGS RELATED THERETO.**
99

100 **4.8 Consider second and final reading of proposed Ord. No. 2014-13, "Pipeline**
101 **Regulations." (Landis)**
102

103 **AN ORDINANCE OF THE CITY OF SEABROOK, TEXAS, AMENDING THE**
104 **CODE OF ORDINANCES OF THE CITY OF SEABROOK BY ADDING A**
105 **NEW CHAPTER 62 ENTITLED "PIPELINES" REQUIRING A PERMIT**
106 **FOR THE CONSTRUCTION, RELOCATION, REPOSITION OR TRANSFER**
107 **OF OWNERSHIP OF A PIPELINE IN THE CITY OF SEABROOK;**
108 **ESTABLISHING POLICIES, PROCEDURES AND REGULATIONS AS THEY**
109 **RELATE TO PIPELINES AS PROVIDED BY LAW; PROVIDING PENALTIES**
110 **IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR GENERAL**
111 **VIOLATION, AND AN AMOUNT NOT TO EXCEED \$5,000.00 FOR ANY**
112 **PROVISION RELATING TO POINT SOURCE EFFLUENT LIMITATIONS OR**
113 **DISCHARGE OF POLLUTANT, AND/OR THE MAXIMUM AMOUNT**
114 **PROVIDED BY LAW; PROVIDING FOR SAVINGS AND SEVERABILITY;**
115 **PROVIDING FOR PUBLICATION; AND MAKING OTHER PROVISIONS AND**
116 **FINDINGS RELATED THERETO.**
117

118 **4.9 Approve an amendment to an agreement by and between Harris County, State of**
119 **Texas and the City of Seabrook for funding for the Community Development Block**
120 **Grant Program. (Cook)**
121

122 Motion was made by Councilor Llorente and seconded by Councilor Botkin
123

124 To approve the Consent Agenda as read.
125

126 MOTION CARRIED BY UNANIMOUS CONSENT.
127

128 **END OF CONSENT AGENDA**
129

130 **5.0 NEW BUSINESS**
131

132 **5.1 Consider approval of the Seabrook Strategic Plan 2014 by Ron Cox of Ron Cox**
133 **Consulting and City Directors. (Cook)**
134

135 Motion was made by Councilor Giangrosso and seconded by Councilor Llorente

To approve the plan as presented.

An amended motion was made by Councilor Giangrosso and seconded by Councilor Botkin

To expand Initiative #1 of Economic Development to include an effort to influence TXDoT to include exit ramps in the plan for SH 146.

Mayor Pro Tem Johnson called for a vote on the amended motion.

MOTION CARRIED BY UNANIMOUS CONSENT.

Mayor Pro Tem called for a vote on the original motion.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Consider approval to allow staff and the city engineer to proceed with the proposed CIP Project for the mechanical screen at the city's wastewater treatment plant and to solicit bids. (Chairez)

Public Works Director Arthur Chairez explained that the wastewater plant was built in the late 50's then expanded in 1986 as ordered by EPA administrative directive. The plant withstood the hit by Ike in 2008, but lately debris has been coming through and accumulating. The new mechanical screen will be an improvement to the plant with automated equipment working 24 hours a day. He stated that he is requesting approval to move forward by soliciting bids and hopes to start the process in mid-July.

City Manager, Gayle Cook, stated that this request was previously brought before council during the last budget process for FY 2013-14 as a supplemental page in the budget notebooks. On the supplemental document, the mechanical screen was scheduled for FY 2013-14 but no formal action was taken and the expenditure was not inserted as a line item expenditure. Currently, the Enterprise Fund has a reserve balance of \$2.25 million, and this fund requires a 15% required reserve amount. By approving the expenditure for the mechanical screen in the approximate amount as presented by the City Engineering of \$633,000, the Enterprise Fund will still retain a reserve balance well in excess of the minimum requirement.

Mr. Chairez stated that \$700,000 will cover all aspects of the project.

Motion was made by Councilor Llorente and seconded by Councilor Botkin

To approve allowing staff and the city engineer to proceed with the proposed CIP Project for the mechanical screen and to solicit bids.

MOTION CARRIED BY UNANIMOUS CONSENT.

181
182 **5.3 Consider first reading of proposed Ordinance No. 2014-14, "Update to Water**
183 **Conservation and Drought Contingency Plan." (Padgett/Chairez)**
184

185 **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY**
186 **OF SEABROOK, CHAPTER 95 "UTILITIES," ARTICLE III, "WATER**
187 **CONSERVATION AND DROUGHT CONTINGENCY PLAN, SECTION 95-80,**
188 **"WATER CONSERVATION PLAN CONTENT," BY PROVIDING**
189 **STATISTICAL UPDATES AS REQUIRED BY THE TEXAS COMMISSION ON**
190 **ENVIRONMENTAL QUALITY.**
191

192 **THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO**
193 **EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION**
194 **HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES**
195 **OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT**
196 **HEREWITH; PROVIDES FOR SEVERABILITY AND PROVIDES FOR AN**
197 **EFFECTIVE DATE.**
198

199 Assistant Public Works Director Kevin Padgett explained that originally the plan was
200 adopted in 2009 and updated in 2012 as required by TCEQ. The only changes are on
201 pages 9, 10 and 12 updated. TCEQ requires an update and re-adoption every five years.
202

203 Motion was made by Councilor Kolupski and seconded by Councilor Miller
204

205 To approve Ordinance No. 2014-14 as written.
206

207 MOTION CARRIED BY UNANIMOUS CONSENT.
208

209 **5.4 Consider approval of first reading of proposed Ordinance No. 2014-15, "Amending**
210 **Disclosure Requirements."**
211

212 **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY**
213 **OF SEABROOK, CHAPTER 2, "ADMINISTRATION", ARTICLE VI. "CODE**
214 **OF ETHICS", DIVISION 3. "CONFLICTS OF INTEREST", SECTION 2-239**
215 **"DISCLOSURE" BY REQUIRING THAT ELECTED OFFICIALS AND**
216 **CERTAIN APPOINTED OFFICIALS REVIEW THEIR DISCLOSURE**
217 **STATEMENTS AT LEAST ONCE A YEAR AND SUBMIT A NEW**
218 **DISCLOSURE STATEMENT WITH CHANGES OR A WRITTEN STATEMENT**
219 **ATTESTING THAT NO CHANGES HAVE OCCURRED; PROVIDING A**
220 **PENALTY IN AN AMOUNT OF \$500.00 OR THE MAXIMUM AMOUNT**
221 **PROVIDED BY LAW FOR VIOLATION OF ANY PROVISION HEREOF BY**
222 **INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF**
223 **ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING**
224 **FOR SEVERABILITY; AND PROVIDING FOR NOTICE.**
225

Motion was made by Councilor Giangrosso and seconded by Councilor Llorente

To approve first reading of Ordinance No. 2014-15 as written.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.5 Consider approval of Resolution No. 2014-04, "Amendment to Deposits, Fees and Regulations for Carothers Coastal Gardens." (Cook)

A RESOLUTION OF THE CITY OF SEABROOK AMENDING AND UPDATING DEPOSITS, FEES AND REGULATIONS GOVERNING THE USE OF DRUSILLA CAROTHERS COASTAL GARDENS AT PINE GULLY PARK AND ESTABLISHING AN EFFECTIVE DATE. THIS RESOLUTION REPLACES RESOLUTION NO. 2012-22 APPROVED ON SEPTEMBER 4, 2012

Motion was made by Councilor Miller and seconded by Councilor Giangrosso

To approve Resolution No. 2014-04 as written.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.6 Consider approval of Resolution No. 2014-05, "Permanent Easement Grants for Surf Oaks Drive/Road (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT PERMANENT EASEMENT GRANTS ARE NECESSARY FOR MAINTENANCE IMPROVEMENTS FOR SURF OAKS DRIVE/ROAD; APPROVING THE ACCEPTANCE OF EASEMENTS FROM THE NECESSARY PROPERTY OWNERS FOR SUCH ROAD, CONTAINING APPROXIMATELY 2.064 ACRES OF LAND, BEING THE SURF OAKS DRIVE PORTION OF WARD OAKS AS RECORDED IN H.C.M.R. FILM CODE NO. 636152, THE SURF OAKS PORTION OF THE SONES SUBDIVISION AS RECORDED IN H.C.M.R. FILM CODE NO. 570290, ALONG WITH SURF OAKS DRIVE AS SHOWN ON THE UNRECORDED PLAT OF SURF OAKS SUBDIVISION, ALL BEING IN THE RITSON MORRIS SURVEY, ABSTRACT NO.52, SEABROOK, HARRIS COUNTY, TEXAS, MORE PARTICULARLY DEPICTED HEREIN; AND PROVIDING TERMS OF CITY MAINTENANCE

Ms. Cook requested that this item be tabled at this time.

Motion was made by Councilor Llorente and seconded by Councilor Kolupski

To table this item.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

6.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

Councilor Kolupski asked that Item #5 be deleted.
Councilor Johnson asked that Item #27 be deleted.

Motion was made by Councilor Llorente and seconded by Councilor Giangrosso

To approve the Action Items Checklist as amended.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.2 Establish future meeting dates and agenda items. (Council)

Meetings in July include:
July 1 – Regular City Council meeting
July 8 – Budget Workshop
July 15 – Regular City Council meeting
July 22 – Budget Workshop

7.0 EXECUTIVE SESSION

At 8:09 p.m. Mayor Pro Tem Johnson announced that City Council will now hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in one or more of the following sections: Section 551.071 and Section 551.087, Economic Development.

Section 551.071

7.1 Consult with attorney for legal advice only in relation to legal issues associated with development incentives/agreements as provided under Section 551.071, Texas Government Code. (Cook)

Section 551.087

7.2 Discuss commercial information the city has received from a business prospect that it seeks to have locate, stay or expand in the City and which the city is conducting economic development negotiations, including deliberation of a financial offer or incentive as provided by Section 551.087 of the Texas Government Code. (Cook)

8.0 OPEN MEETING

At 9:00 p.m., Mayor Pro Tem Johnson reconvened in open session and stated that Items 7.1 and 7.2 were discussed, but no action was taken.

316
317 **7.2 Discuss commercial information the city has received from a business prospect that**
318 **it seeks to have locate, stay or expand in the City and which the city is conducting**
319 **economic development negotiations, including deliberation of a financial offer or**
320 **incentive as provided by Section 551.087 of the Texas Government Code. (Cook)**
321

322 Motion was made by Councilor Llorente and seconded by Councilor Botkin
323

324 To direct the City Attorney and City Manager to draft a developer agreement between the
325 City of Seabrook and Pacific Ridge
326 .

327
328 MOTION CARRIED BY UNANIMOUS CONSENT.
329

330 Upon motion, the meeting was adjourned at 9:02 p.m.
331

332
333 Approved this 1st day of July, 2014.
334
335
336
337
338
339

340 _____
Gary Johnson, Mayor Pro Tem
341
342

343 _____
344 Meredith Brant, TRMC
345 Assistant City Secretary
346
347

ORDINANCE NO. 2014-14
UPDATE TO WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 95 "UTILITIES," ARTICLE III, "WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN, SECTION 95-80, "WATER CONSERVATION PLAN CONTENT," BY PROVIDING STATISTICAL UPDATES AS REQUIRED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDES FOR SEVERABILITY AND PROVIDES FOR AN EFFECTIVE DATE.

WHEREAS, the Texas Commission on Environmental Quality requires retail public utilities that provide potable water service to 3,300 or more connections to submit to the Texas Water Development Board a water conservation plan based on specific targets and goals using appropriate best management practices or other water conservation strategies; and

WHEREAS, this plan must be reviewed and updated every five years; and

WHEREAS, the City of Seabrook adopted a Water Conservation and Drought Contingency Plan in 2009 by the passage of Ordinance No. 2009-02; and

WHEREAS, the City codified this plan on May 15, 2012 with the passage of Ordinance No. 2012-13; and

WHEREAS, the current plan has now been updated in accordance with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENT TO THE CODE.

The Code of Ordinances of the City of Seabrook, Chapter 95, "Utilities", Article III, "Water Conservation and Drought Contingency Plan," Section 95-80, "Water Conservation Plan Content" is hereby amended as shown below.

Ordinance No. 2014-14
Water Conservation & Drought Contingency Plan
Page 2

Sec. 95-80. Water conservation plan content.

The minimum requirements in the Texas Administrative Code for water conservation plans for public drinking water suppliers covered in this report are as follows:

§ 288.2(a) (1) (A)—Utility profile—Subsection 95-80(1)

§ 288.2(a) (1) (B)—Specification of goals—Subsection 95-80(2)

§ 288.2(a) (1) (C)—Accurate metering—Subsections 95-80(3) and (4)

§ 288.2(a) (1) (D)—Universal metering—Subsection 95-80(4)

§ 288.2(a) (1) (E)—Determination and control of unaccounted water—Subsection 95-80(5)

§ 288.2(a) (1) (F)—Public education and information program—Subsection 95-80(6)

§ 288.2(a) (1) (G) - Non-promotional water rate structure—Subsection 95-80(7)

§ 288.2(a) (1) (I)—Means of implementation and enforcement—Subsection 95-80(8)

(1) *Utility profile.* Table 5.1 below along with appendix B* summarizes key facts of the water utility profile.

(2) *Specification of water conservation goals.* Table 5.2 shows historical per capita municipal water use for the City of Seabrook. Water use is shown in units of gallons per capita per day (gpcd). Per capita municipal water use is total municipal water sold divided by population.

Projected per capita uses are of Seabrook projections and are intended to be used for drier than average seasons. Per capita municipal water use in a year with normal or high precipitation during the summer should be less than projected here.

(See next page.)

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Water Conservation & Drought Contingency Plan
Page 3

Table 5.1
Water Utility Profile Summary

Water Service Area	12.5 square miles
Miles of Distribution Pipe	56 miles
Water Supply Source(s)	City of Seabrook—3 ground water wells City of Pasadena—Surface water supply
Population	[2005 population = 11,099] 2010 population = 12,260 2020 population = 17,800 <u>2025 population = 18,210</u>
Connections	[3,593 in 2007] <u>3,751 in 2014</u> Total Increase in connections in last 3 years = 160

Water Use Information

Year Use (Gallons)	Estimated Population	Unaccounted for Water (In Percent)	Peak Day in MGD
704,588,000 (2005)	11,099	9%	(6-15) 4.086
604,949,000 (2006)	11,272	10%	(6-24) 3.057
601,995,000 (2007)	11,315	7%	(6-17) 2.514

<u>Year Use (Gallons)</u>	<u>Estimated Population</u>	<u>Unaccounted for Water (In Percent)</u>	<u>Peak Day in MGD</u>
<u>785,349,000 (2011)</u>	<u>11,732</u>	<u>9%</u>	<u>(8-21) 3.073</u>
<u>651,397,000 (2012)</u>	<u>11,858</u>	<u>10%</u>	<u>(8-18) 3.425</u>
<u>649,339,000 (2013)</u>	<u>12,534</u>	<u>7%</u>	<u>(7-14) 3.303</u>

Water Treatment System

City of Pasadena's Subscription = 3.0 million gallons per day.

City of Seabrook's 3 ground water wells = 30 million gallons per year.

Total Annual Wastewater Flow = [~~480 MG in 2007~~] **399 MG in 2013.**

The City of Seabrook projections include the impact of low-flow plumbing fixtures and water conservation measures that have been enacted through building code

Ordinance No. 2014-14
Water Conservation & Drought Contingency Plan
Page 4

amendments and state and federal legislation but do not include the effect of water conservation measures recommended in this plan. Table 5.2 shows the projected per capita water use after implementation of this water conservation and drought contingency plan.

In adopting this plan, the City of Seabrook has established a goal of reducing total per capita water consumption by up to one percent as measured on rolling five- and seven-year averages as shown in Table 5.2.

Table 5.2
Historical Total Per Capita Use and Water Conservation Goals

	(year) gpcd
Historical Total Per Capita Use	[(2000) 188 (2001) 180 (2002) 183 (2003) 155 (2004) 165] (2005) 174 (2006) 147 (2007) 146 <u>(2008) 155</u> <u>(2009) 165</u> <u>(2010) 168</u> <u>(2011) 183</u> <u>(2013) 151</u>
5 year average	[157] <u>164</u>
7 year average	[164] <u>159</u>
2 year average	[147] <u>167</u>
Conservation Measures in this Plan	-15—
Projected per Capita Water Use Goals	-130 to 140 gpcd

The city's water conservation goals include the following:

- Maintain the city's ongoing meter replacement program (subsection 95-80(4))
- Keep the level of unaccounted water in the system less than ten percent in 2009 and subsequent years (subsection 95-80(5)).

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Water Conservation & Drought Contingency Plan
Page 5

- Raise public awareness of water conservation and encourage responsible public behavior through a public education and information program as discussed in subsection 95-80(6).
- Decrease outdoor water use by implementing a landscape irrigation systems program (subsection 95-82(3)).

Goals for the program (five-year target and goals):

- The City of Seabrook goals are to achieve a municipal use of 140 gallons per capita per day for the first five years beginning in the year [2009] **2014** and also achieve a municipal use water loss goal of 14 gallons per capita per day for the next five years beginning in the year [2009] **2014**.

Goals for the program (ten-year target and goals):

- The City of Seabrook goals are to achieve a municipal use of 130 gallons per capita per day for the next ten years beginning in the year 2009 and also achieve a municipal use water loss goal of 13 gallons per capita per day for the next ten years beginning in the year 2009.

(3) *Accurate metering of raw water supplies and treated water deliveries.* The City of Seabrook uses raw water meters at each wellhead and the City of Pasadena meters the treated water deliveries to Red Bluff and Todville delivery points. Each meter has an accuracy of plus or minus three percent. The city's meters are calibrated on an annual basis in order to maintain the required accuracy and are repaired and/or replaced as needed.

(4) *Metering of customer and public uses and meter testing, repair and replacement.* Water usage for all customers of the City of Seabrook, including public and governmental users, is metered.

As part of the water conservation/drought contingency plan, the City of Seabrook replaces all customer meters in a ten-year cycle or if the meter reaches the end of its warranty period whichever comes first. In addition, any meters registering any unusual or questionable readings are tested and replaced if necessary.

(5) *Determination and control of unaccounted water.* Unaccounted water is the difference between water purchased and produced and metered deliveries to customers. Unaccounted water can include several categories:

- Line flushing;
- Inaccuracies in customer meters (customer meters tend to run more slowly as they age and under-report actual use);
- Losses due to water main breaks and leaks in the water distribution system;
- Theft;
- Firefighting;

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Water Conservation & Drought Contingency Plan
Page 6

- Inaccuracies of wholesale meters (plus or minus two percent);
- Inaccuracies of internal meters (plus or minus three percent); and
- Other unmetered uses.

The City of Seabrook will begin to conduct water audits using AWWA guidelines in water audits and leak detection.

Unaccounted water for the City of Seabrook has stayed at approximately seven percent in the last three years. With the measures described in this plan, it is the goal of the City of Seabrook to maintain the unaccounted water below ten percent annually.

(6) *Continuing public education and information campaign.* The continuing public education and information campaign on water conservation for the City of Seabrook includes the following elements.

- Promote the city's water conservation measures (presented in subsections 95-80(5), (6) and (7)).
- Include inserts on water conservation periodically with water bills. Inserts may include material developed by the City of Seabrook staff and material obtained from the American Water Works Association, TWDB, TCEQ, and other sources.
- The City of Seabrook staff is available to make presentations on the importance of water conservation and ways to save water.
- Make the water conservation brochures and other water conservation materials available to the public.
- Make information on water conservation available online at <http://www.ci.seabrook.tx.us> and include information on water conservation and links to the TWDB and TCEQ websites.

(7) *Non-proportional water rate structure.* With the intent of encouraging water conservation and discouraging waste and excessive use of water, the City of Seabrook has adopted a water usage rate structure where the unit price of water increases with increasing water use. Water rates (2008) are shown in Table 5.3.

Table 5.3
Monthly Customer Charges

Single-Family Residential and Commercial Use and Irrigation <i>for meter readings taken monthly</i>	
First 2,000 gallons, 5/8 meter, minimum bill[\$8.74]	<u>\$9.68</u>
All over 2,000 gallons per 1,000 gallons[\$2.53]	<u>\$2.84</u>
10,000—15,000 gallons, per 1,000 gallons[\$3.03]	<u>\$3.28</u>
All over 15,000 gallons, per 1,000 gallons[\$3.63]	<u>\$4.04</u>

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Water Conservation & Drought Contingency Plan
Page 7

Multi-Family Use <i>for meter readings taken monthly</i>	
First 2,000 gallons, minimum bill[\$8.74]	<u>\$9.68</u>
4,001—10,000 gallons, per 1,000 gallons[\$2.53]	<u>\$9.68</u>
All over 10,000 gallons, per 1,000 gallons[\$3.03]	<u>\$3.38</u>

(8) *Implementation and enforcement of the water conservation/drought contingency plan.*
The ordinance of the City of Seabrook City Council adopting this water conservation/drought contingency plan designates responsible officials to implement and enforce the water conservation/drought contingency plan.

- Coordination with regional water planning group.
 - Additional required water conservation/drought contingency plan content.
- Title 30 of the Texas Administrative Code also includes additional requirements for water conservation plans for public drinking water suppliers that serve a population of 5,000 people or more and/or a projected population of 5,000 people or more within the next ten years:
- § 288.2(a)(2)(A)—Leak detection repairs, and water lost accounting—Subsections 95-80(5), 95-81(a), and 95-82(3).
 - § 288.2(a)(2)(B)—Record management system—Subsection 95-81(b).

(Ord. No. 2012-13, § 2(5.0), 5-15-2012)

SECTION 3. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this Ordinance is subject to the penalty section of said Code of Ordinances, Section 1-15 “General Penalty” which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of an offense and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 5. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or

Ordinance No. 2014-14
Water Conservation & Drought Contingency Plan
Page 8

unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 17th day of June 2014.

PASSED AND APPROVED on second and final reading this 1st day of July 2014.

Glenn R. Royal, Mayor

ATTEST:

By: _____
Meredith Brant
Acting City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney

**ORDINANCE NO. 2014-15
AMENDING DISCLOSURE REQUIREMENTS**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, CHAPTER 2, "ADMINISTRATION", ARTICLE VI. "CODE OF ETHICS", DIVISION 3. "CONFLICTS OF INTEREST", SECTION 2-239 "DISCLOSURE" BY REQUIRING THAT ELECTED OFFICIALS AND CERTAIN APPOINTED OFFICIALS REVIEW THEIR DISCLOSURE STATEMENTS AT LEAST ONCE A YEAR AND SUBMIT A NEW DISCLOSURE STATEMENT WITH CHANGES OR A WRITTEN STATEMENT ATTESTING THAT NO CHANGES HAVE OCCURRED; PROVIDING A PENALTY IN AN AMOUNT OF \$500.00 OR THE MAXIMUM AMOUNT PROVIDED BY LAW FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

ARTICLE 1. AMENDMENT TO THE CODE.

The Code of Ordinances of the City of Seabrook is hereby amended at Chapter 2. "Administration," Article VI. "Code of Ethics," Division 3, "Conflicts of Interest," Section 2-239 "Disclosure" as written below.

"Sec. 2-239. Disclosure.

"The city manager, economic development director, all members of the city's council, planning and zoning commission, board of adjustment, economic development corporations, and any and all other **members of the** economic development committees and subcommittees shall, within ten working days of election, appointment or membership, complete a disclosure statement listing all interests in real property located within the city limits or the extraterritorial jurisdiction of the city, whether owned outright or under a mortgage, leased, held in trust, or that are owned, leased, or held in trust by the employee's or committee member's spouse or dependent children. This list shall include the location (street address and/or legal description), size (general dimensions), and current use of the property. Additionally, each member or employee shall disclose any of his or her ownership of stock in any company under contract to the city, when such stock ownership comprises greater than one percent of such company's total capital stock. This section shall become effective for the current city manager, economic development director, and all current members of applicable city boards within 30 days of final approval of this section by the city council. ~~It is~~ ~~addition, a]~~ **All members and employees shall file an amended statement within 30 days of the acquisition of any additional real property interests or stock as defined above. In addition, all members, officials and employees, as referenced herein, shall review their filed disclosure statements at least once each year and after review, shall either file an amended statement with any changes or submit a written statement attesting that no changes have occurred since the last filing.** This requirement shall apply during the term of any election, appointment or

employment. Any willful violation of this section shall constitute malfeasance in office and any official or employee guilty thereof shall thereby forfeit the office or position.

ARTICLE 2. PENALTY CLAUSE; INCLUSION INTO THE CODE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount as provided in Section 1-15 "General Penalties; Continuing Violations", the City Council specifically finding that this Ordinance governs public health and safety. Each day of violation shall constitute a separate offense.

ARTICLE 3. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

ARTICLE 4. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

ARTICLE 5. NOTICE BY PUBLICATION.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage, in the official newspaper of the City. The Ordinance shall take effect upon publication.

Approved on first reading this 17th day of June 2014.

Approved on second and final reading this 1st day of July 2014.

Glenn R. Royal, Mayor

93 ATTEST:

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Meredith Brant, TRMC

99 Acting City Secretary

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102 Approved as to form:

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107 _____
Steven L. Weathered

108 City Attorney

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See Attachment 1

See Attachment 1



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, JULY 1, 2014

Submitter/Requestor:

Date Submitted: 6/23/2014 1:50:09 PM

Presenter:

Description/Subject:

Purpose/Need: NA

Background/Issue(What prompted this need):

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Resolution

Exhibits 1-10

Exhibits 11-20

Fiscal Impact:

Budgeted

Yes

Finance
Review:

Officer

Budget Amendment Required

Yes

Future/Ongoing Impact

Yes

Budget Dept/Line Item Number

Funding Comments:

Where on the agenda should this item be placed?

New Business

Suggested Motion:

Agenda Language:

Approve Resolution No. 2014-05, Surf Oaks Easement Grants. (Cook)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT PERMANENT EASEMENT GRANTS ARE NECESSARY FOR MAINTENANCE IMPROVEMENTS FOR SURF OAKS DRIVE/ROAD; APPROVING THE ACCEPTANCE OF EASEMENTS FROM THE NECESSARY PROPERTY OWNERS FOR SUCH ROAD, CONTAINING APPROXIMATELY 2.064 ACRES OF LAND, BEING THE SURF OAKS DRIVE PORTION OF WARD OAKS AS RECORDED IN H.C.M.R. FILM CODE NO. 636152, THE SURF OAKS PORTION OF THE SONES SUBDIVISION AS RECORDED IN H.C.M.R. FILM CODE NO. 570290, ALONG WITH SURF OAKS DRIVE AS SHOWN ON THE UNRECORDED PLAT OF SURF OAKS SUBDIVISION, ALL BEING IN THE RITSON MORRIS SURVEY, ABSTRACT NO.52, SEABROOK, HARRIS COUNTY, TEXAS, MORE PARTICULARLY DEPICTED HEREIN; AND PROVIDING TERMS OF CITY MAINTENANCE

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

**RESOLUTION NO. 2014-05
SURF OAKS EASEMENT GRANTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT PERMANENT EASEMENT GRANTS ARE NECESSARY FOR MAINTENANCE IMPROVEMENTS FOR SURF OAKS DRIVE/ROAD; APPROVING THE ACCEPTANCE OF EASEMENTS FROM THE NECESSARY PROPERTY OWNERS FOR SUCH ROAD, CONTAINING APPROXIMATELY 2.064 ACRES OF LAND, BEING THE SURF OAKS DRIVE PORTION OF WARD OAKS AS RECORDED IN H.C.M.R. FILM CODE NO. 636152, THE SURF OAKS PORTION OF THE SONES SUBDIVISION AS RECORDED IN H.C.M.R. FILM CODE NO. 570290, ALONG WITH SURF OAKS DRIVE AS SHOWN ON THE UNRECORDED PLAT OF SURF OAKS SUBDIVISION, ALL BEING IN THE RITSON MORRIS SURVEY, ABSTRACT NO.52, SEABROOK, HARRIS COUNTY, TEXAS, MORE PARTICULARLY DEPICTED HEREIN; AND PROVIDING TERMS OF CITY MAINTENANCE

WHEREAS, the City Council of the City of Seabrook finds and determines that for public convenience it is necessary for there to be certain improvements and municipal maintenance of Surf Oaks Drive/Road after such improvements, which require that the City first receive stipulations, confirmation, acknowledgments and easement dedications from adjacent property owners of Surf Oaks Drive/Road ("Owners"), that it is a public right of way; and

WHEREAS, the City may not expend public funds for maintenance of a private road, and has required the subject stipulations, confirmation, acknowledgments and easements from the Owners for the dedication of Surf Oaks Drive/Road as a public right of way in the City of Seabrook, (the "Easements"); and

WHEREAS, in order to achieve the necessary dedications for Harris County improvements, and resulting City maintenance (the "Project"), the Easements provide a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and

subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 and deemed necessary by the City, including all rights over, under, across, upon, along and through the property more specifically identified as:

APPROXIMATELY 2.064 ACRES OF LAND BEING THE SURF OAKS DRIVE PORTION OF WARD OAKS AS RECORDED IN H.C.M.R. FILM CODE NO. 636152, THE SURF OAKS PORTION OF THE SONES SUBDIVISION AS RECORDED IN H.C.M.R. FILM CODE NO. 570290, ALONG WITH SURF OAKS DRIVE AS SHOWN ON THE UNRECORDED PLAT OF SURF OAKS SUBDIVISION, ALL BEING IN THE RITSON MORRIS SURVEY, ABSTRACT NO.52, SEABROOK, HARRIS COUNTY, TEXAS, more particularly depicted herein, and

WHEREAS, the City of Seabrook, has received Easements from the Owners for the Project, for the purposes of dedicating Surf Oaks Drive/Road as a public right of way, true and correct copies of such Easements are attached hereto as Exhibits 1 – 19, which are incorporated by reference herein for all purposes; and

WHEREAS, Exhibits 1 - 20 (the original executed “Easements”) individually contain an Exhibit A defining the Easement metes and bounds for each individual lot of such Owner(s), an Exhibit B depicting the entire Surf Oaks Drive/Road Easement and Utility Easement, and an Exhibit C defining, by metes and bounds, the portion of Surf Oaks Drive/Road that shall not be required to be expanded, paved, curbed, guttered or maintained whatsoever, but which shall otherwise remain subject to a public Easement; and

WHEREAS, the Easements reflect the terms and conditions of City maintenance, specifying the areas for improvements and resulting maintenance, as well as additional

areas for easement dedication to the City not subject to improvement/maintenance, as referenced in the attached specified Easements; and

WHEREAS, the City of Seabrook has determined to accept such Easements and dedication thereof to the City; subject to the conditions reflected therein, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. The City Council of the City of Seabrook finds that the Project, Surf Oaks Drive/Road, by acceptance of the subject Easements for public right of way, is hereby approved for City maintenance after improvements by Harris County, it being specifically provided that due to the conditions of such road that the City/County shall not be required to expand, pave, curb, or gutter the subject Road/Drive now being conveyed in accordance with current City standards. Additionally, Exhibits 19 and 20 contain 16' Utility Easements which shall not be required to be paved, curbed, guttered or maintained whatsoever, but which shall otherwise remain subject to a public Easement. Further, there are specific areas, as identified in each Easement and Exhibit C of the attached Exhibits 1 – 20, that shall not be required to be expanded, paved, curbed, guttered or maintained whatsoever, but which shall otherwise remain subject to a public Easement. Listing of attached Exhibits 1 – 20, for public dedication of Surf Oaks Drive/Road, which are incorporated by reference for all purposes, are as follows:

Exhibit 1:

Sally E. Antrobus and M. Justin Wilkinson
Right of Way Easement Description being 1,508 sq. ft.
Lot 8 Surf Oaks Drive

Exhibit 2:

Jack E. Boteler

Right of Way Easement Description being 2,021 sq. ft.
Lot 12 Surf Oaks Drive

Exhibit 3:

Terry W. Brown and Norma Brown
Right of Way Easement Description being 4,778 sq. ft.
Lot 18 and the West ½ of Lot 17 Surf Oaks Drive

Exhibit 4:

Anthony B. Rea and Mary Aletha Cole
Right of Way Easement Description being 1,565 sq. ft.
Lot 5 and the west 10 foot of Lot 4 Surf Oaks Drive

Exhibit 5:

Sonya Dod and Brian Dod
Right of Way Easement Description being 1,082 sq ft.
Lot 2 Sones Subdivision Surf Oaks Drive

Exhibit 6:

Golgren Properties Inc.
Right of Way Easement Description being 1,129 sq. ft.
Called 6.827 acres Surf Oaks Drive

Exhibit 7:

Fredrick S. Hall and Reba G. Hall
Right of Way Easement Description being 1,500 sq. ft.
Lot 7 Surf Oaks Drive

Exhibit 8:

Robert C. Momeier and Angela Momeier
Right of Way Easement Description being 4,537 sq. ft.
East ½ Lot 17 and Lot 16 Surf Oaks Drive
Also Being Lot 1 Block 1 Momeier Lot Consolidation

Exhibit 9:

Jeffrey A. Neale and Laureen Neale
Right of Way Easement Description being 10,873 sq. ft.
Lots 20 and 21 Surf Oaks Drive

Exhibit 10:

Timothy A. Pieszchala
Right of Way Easement Description being 2,891 sq. ft.
Lot 15 Surf Oaks Drive

Exhibit 11:

Wesley Powell

Right of Way Easement Description being 8,273 sq. ft.
East 551.27 feet of Lot 3 Surf Oaks Drive

Exhibit 12:

Johnny Rijnierse
Right of Way Easement Description being 3,319 sq. ft.
Lot 19 Surf Oaks Drive

Exhibit 13:

Karen Rompot and David Rompot
Right of Way Easement Description being 982 sq. ft.
Lot 3A Surf Oaks Drive

Exhibit 14:

Matthew J. Schroeder and Laura K. Schroeder
Right of Way Easement Description being 1,848 sq. ft.
Lot 11 Surf Oaks Drive

Exhibit 15:

Edward E. Skeffington
Right of Way Easement Description being 3,022 sq. ft.
Lot 1 Sones Subdivision Surf Oaks Drive

Exhibit 16:

Robert G. Webbon and Carolyn Webbon
Right of Way Easement Description being 5,284 sq. ft.
Lot 13 and 14 Surf Oaks Drive

Exhibit 17:

John Wilson and Linda Wilson
Right of Way Easement Description being 1,500 sq. ft.
Lot 6 Surf Oaks Drive

Exhibit 18:

Karen M. Tisdell
Right of Way Easement Description being 1,350 sq. ft.
The East 90 foot of Lot 4 Surf Oaks Drive

Exhibit 19:

Michael Goldreyer
Right of Way Easement Description being 1,500 sq. ft.
West 100 feet of Lot 3 Surf Oaks Drive; and
16 foot wide Utility Easement being 1,599 sq. ft.
West 100 feet of Lot 3 Surf Oaks

Exhibit 20:

Bryce Ward and Sandra Ward
16 foot wide Utility Easement being 2,903 sq. ft.
Lot 1 Ward Oaks

Section 3. The Mayor is authorized to execute any documentation necessary to accept, document, and record said Easements for the Project as a public right of way.

PASSED, APPROVED, AND RESOLVED this _____ day of June, 2014.

Glenn R. Royal
Mayor

ATTEST:

Michele L. Glaser, TRMC
City Secretary

Exhibit 1

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 14th day of June, 2014, by and between Sally E. Antrobus and M. Justin Wilkinson, whose mailing address is 526 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,508 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 8 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 8 being described in deed recorded in Harris County Clerk's File Number 20070443164,

and said 1,508 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby

conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 14th day of June, 2014.

GRANTOR(S)

Date: 6-14-, 2014

By: Sally Antstony

Grantor/Owner
Sally E. Antrobus

Date: 6-14-, 2014

By: M. Justin Wilkinson
Grantor/Owner
M. Justin Wilkinson

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Sally E. Antrobus, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 14 day of June, 2014.

[SEAL]



Diana Elizabeth Garza
Notary Public, State of Texas

My commission expires: 02/27/2015

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared M. Justin Wilkinson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 14 day of June, 2014.

[SEAL]



Diana Elizabeth Garza
Notary Public, State of Texas

My commission expires: 02/27/2015

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 8 Surf Oaks Drive

A tract of land containing 1,508 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 8 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 8 being described in deed recorded in Harris County Clerk's File Number 20070443164, and said 1,508 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 8 same being the most southeast corner Sones Subdivision as per map or plat recorded in Film Code Number 570290 of the Map Records of Harris County, Texas and being in the north line of the said existing Surf Oaks Drive;

Thence North 89 deg. 12 min. 03 sec. East along the common south line of said Lot 8 with the north line of Surf Oaks Drive for a distance of 100.35 feet to the southeast corner of said Lot 8 same being the southwest corner of called Lot 7 as described in deed recorded in Harris County Clerk's File Number 20090421023;

Thence South 00 deg. 47 min. 53 sec. East crossing a portion of said Surf Oaks Drive for a distance of 15.00 feet to a point for corner in the center line of said existing Surf Oaks Drive;

Thence South 89 deg. 12 min. 03 sec. West along the center line of said existing Surf Oaks Drive for a distance of 100.70 feet to a point for corner;

Thence North 00 deg. 31 min. 44 sec. West crossing said Surf Oaks right of way for a distance 15.00 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

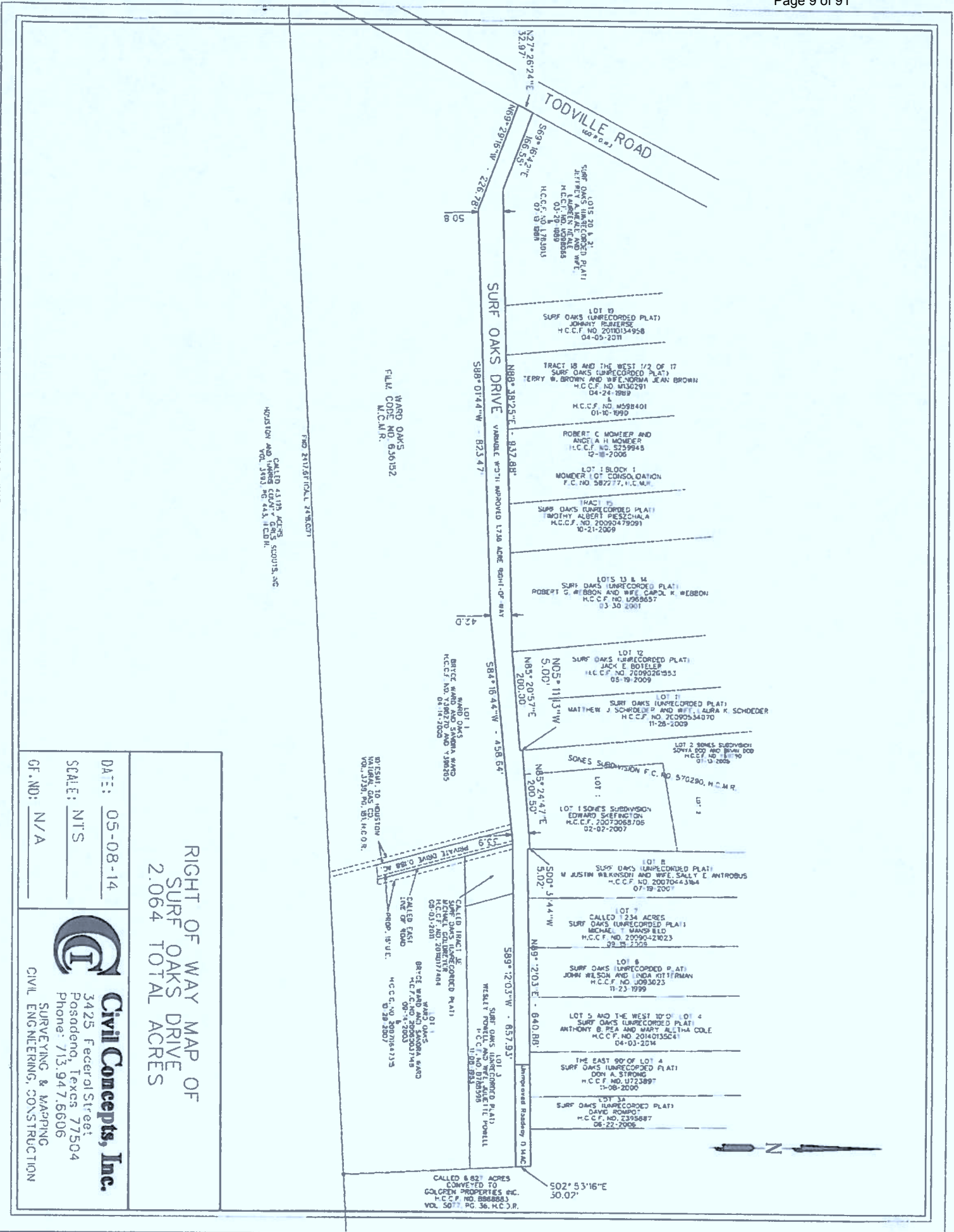


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot 3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 2

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16th day of June, 2014, by and between Jack E. Boteler, whose mailing address is 538 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 2,021 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot12 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 12 being described in deed recorded in Harris County Clerk's File Number 20090261553,

and said 2,021 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

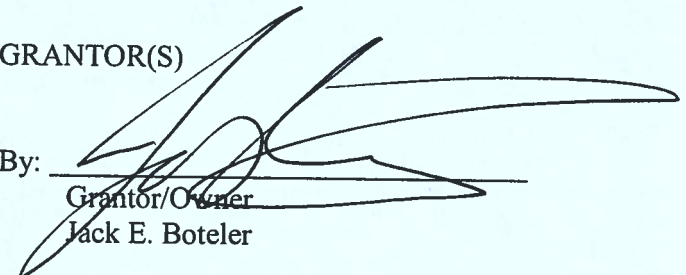
This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 16th day of June, 2014.

Date: 6/16, 2014

GRANTOR(S)

By:


Grantor/Owner
Jack E. Boteler

Accepted and agreed by the City of Seabrook, Texas, on this the _____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

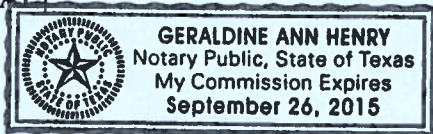
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Jack E. Boteler, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 14th day of June, 2014.

[SEAL]



Geraldine Ann Henry
Notary Public, State of Texas

My commission expires: 9/26/2015

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 12 Surf Oaks Drive

A tract of land containing 2,021 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 12 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 12 being described in deed recorded in Harris County Clerk's File Number 20090261553, and said 2,021 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 12 same being the most southeast corner of called Lot 13 as per deed recorded in Harris County Clerks File Number U968657 and being in the north line of the said existing Surf Oaks Drive;

Thence North 85 deg. 20 min. 57 sec. East along the common south line of said Lot 12 with the north line of Surf Oaks Drive for a distance of 99.79 feet to the southeast corner of said Lot 12 same being the southwest corner of called Lot 11 as described in deed recorded in Harris County Clerk's File Number 20090534070;

Thence South 04 deg. 17 min. 37 sec. East crossing a portion of said Surf Oaks Drive for a distance of 19.36 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 84 deg. 16 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 99.46 feet to a point for corner;

Thence North 05 deg. 15 min. 11 sec. West crossing said Surf Oaks right of way for a distance of 21.22 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

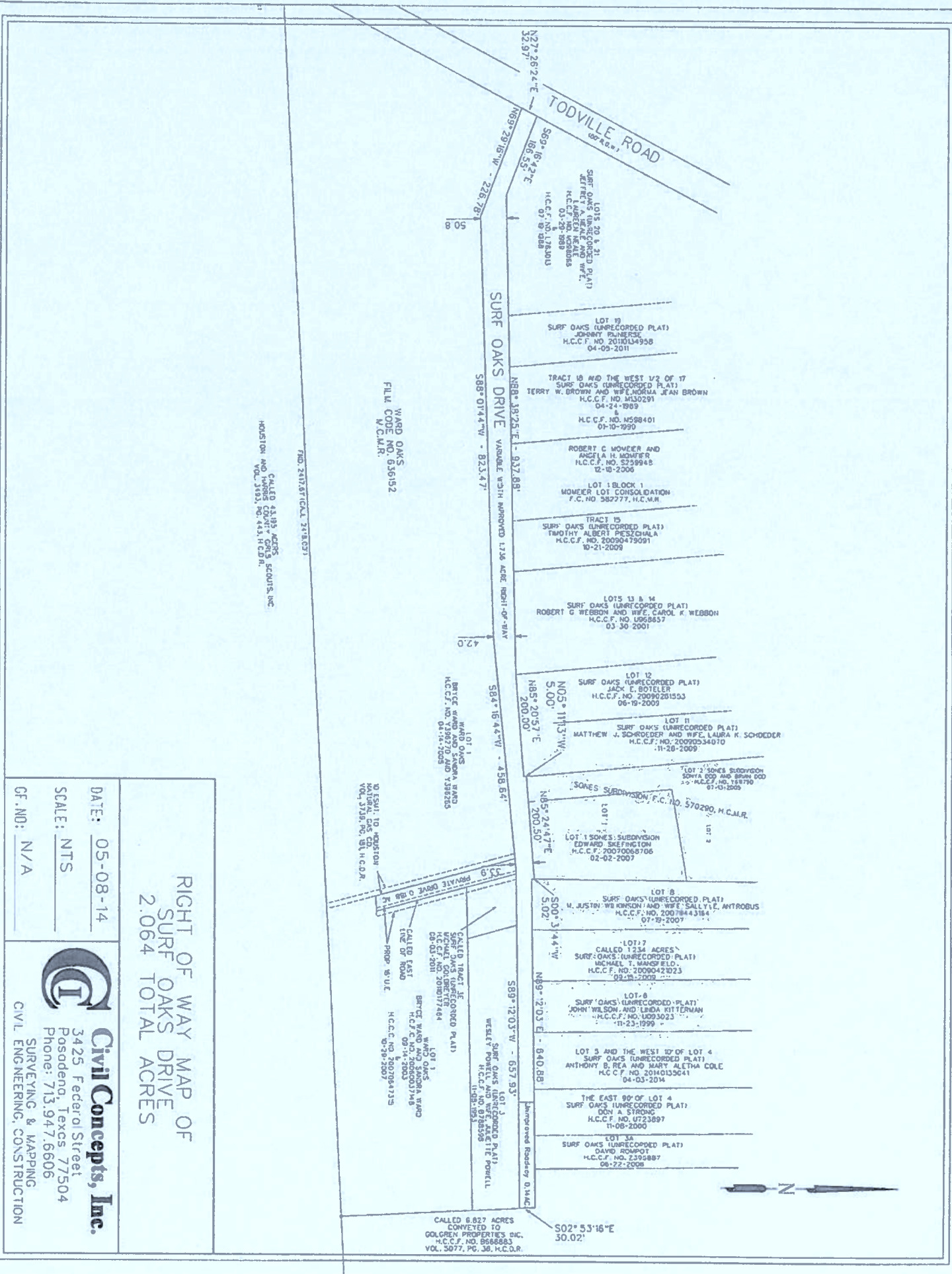


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 3

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16th day of June, 2014, by and between Terry W. Brown and Norma Brown, whose mailing address is 566 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 4,778 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 18 and the West ½ of Lot 17 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 18 being described in deed recorded in Harris County Clerk's File Number M130291, and the West ½ of Lot 17 being described in deed recorded in Harris County Clerk's File Number M598401,

and said 4,778 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby

conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this

11th day of June, 2014.

Date: June 11th, 2014

GRANTOR(S)

By: Tanya Brown

Grantor/Owner
Terry W. Brown

Date: June 11th, 2014

By: Norma Brown
Grantor/Owner
Norma Brown

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

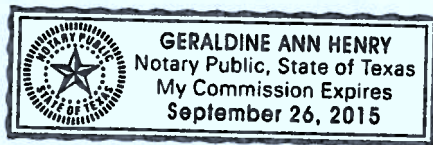
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Terry W. Brown, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.

[SEAL]



Geraldine Ann Henry
Notary Public, State of Texas

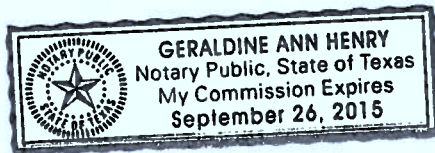
My commission expires: 09/26/2015

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Norma Brown, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.

[SEAL]



Geraldine Ann Henry
Notary Public, State of Texas

My commission expires: 09/26/2015

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 18 and the West ½ of Lot 17 Surf Oaks Drive

A tract of land containing 4,778 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 18 and the West ½ of Lot 17 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 18 being described in deed recorded in Harris County Clerk's File Number M130291, and the West ½ of Lot 17 being described in deed recorded in Harris County Clerk's File Number M598401, and said 4,778 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 18 same being the most southeast corner of called Lot 19 as per deed recorded in Harris County Clerks File Number 20110134958 and being in the north line of the said existing Surf Oaks Drive;

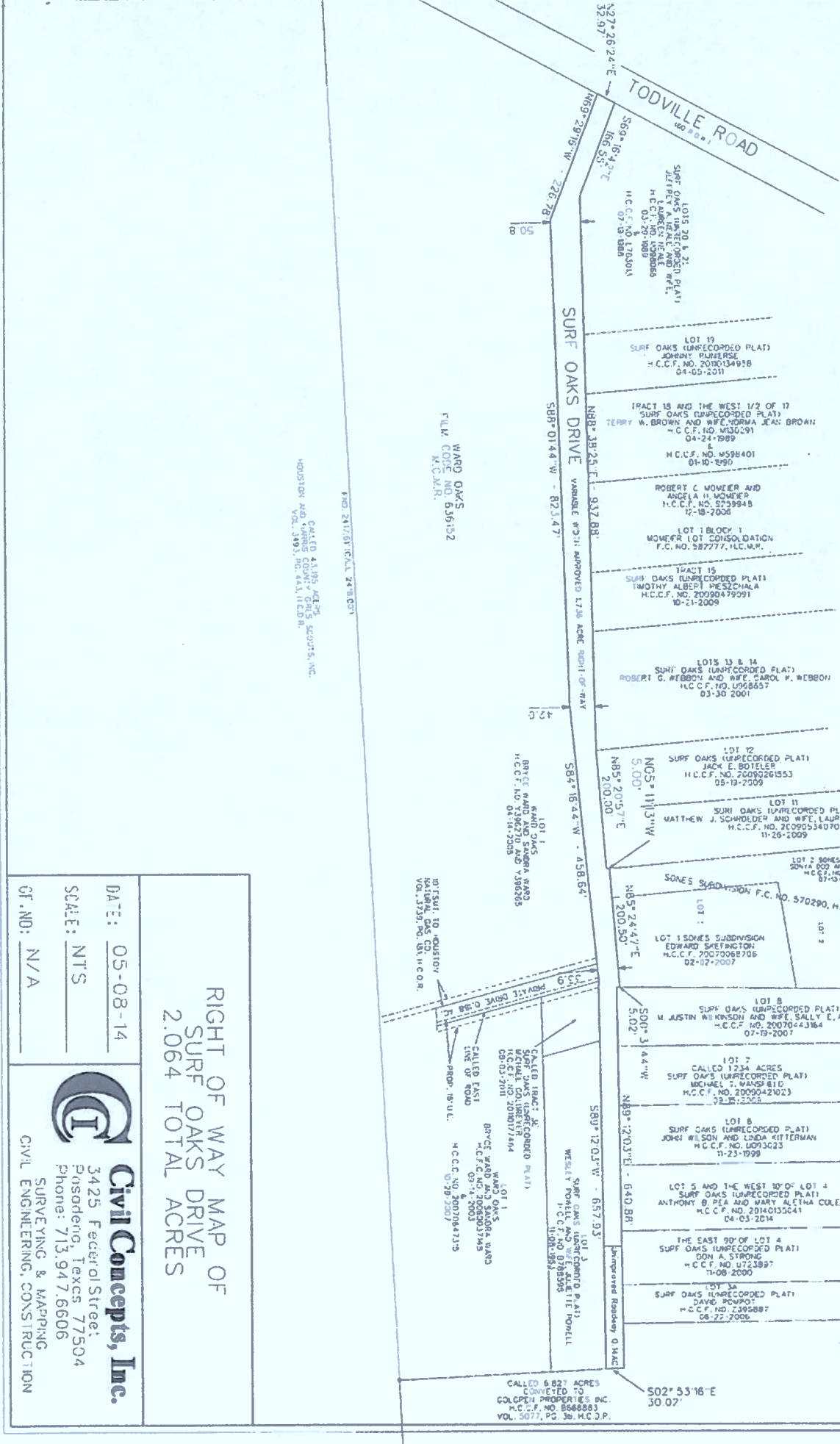
Thence North 88 deg. 28 min. 25 sec. East along the common south line of said Lots 18 and 17 with the north line of Surf Oaks Drive for a distance of 150.33 feet to the southeast corner of said west ½ of Lot 17 same being the southwest corner of called Lot 1 Block 1 Momeier Lot Consolidation as pre map or plat recorded in Film Code Number 582277 of the Map Records of Harris County, Texas, same being the southwest corner of the east ½ of Lot 17, Surf Oaks and as described in deed recorded in Harris County Clerk's File Number S259948;

Thence South 05 deg. 09 min. 42 sec. East crossing a portion of said Surf Oaks Drive for a distance of 31.05 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 88 deg. 01 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 150.23 feet to a point for corner;

Thence North 05 deg. 09 min. 42 sec. West crossing said Surf Oaks right of way for a distance of 32.66 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



N

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjaace it to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 4

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16 day of June, 2014, by and between Anthony B. Rea and Mary Aletha Cole, whose mailing address is 3714 Big Piney Drive, Kingwood, Texas 77345, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,565 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 5 and the west 10 foot of Lot 4 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 5 and the west 10 foot of Lot 4 being described in deed recorded in Harris County Clerk's File Number J876481,

and said 1,565 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

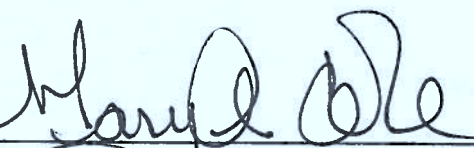
IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 16 day of June, 2014.

Date: 16, June, 2014

GRANTOR(S)

By: 
Grantor/Owner
Anthony B. Rea

Date: 16th June, 2014

By: 
Grantor/Owner
Mary Aletha Cole

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

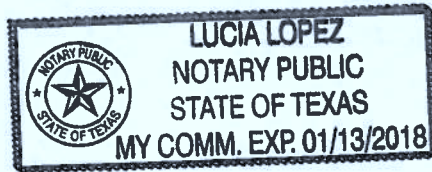
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Anthony B. Rea, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 10 day of June, 2014.

[SEAL]



Lucia Lopez
Notary Public, State of Texas

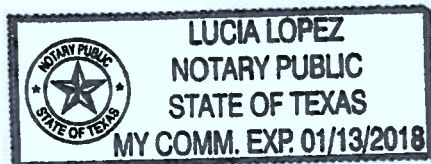
My commission expires: 1/13/2018

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Mary Aletha Cole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 10 day of June, 2014.

[SEAL]



Lucia Lopez
Notary Public, State of Texas

My commission expires: 01/13/2018

After recording return to:

City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 5 and the west 10 foot of Lot 4 Surf Oaks Drive

A tract of land containing 1,565 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 5 and the west 10 foot of Lot 4 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 5 and the west 10 foot of Lot 4 being described in deed recorded in Harris County Clerk's File Number J876481, and said 1,565 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 5 same being the most southeast corner of called Lot 6 as per deed recorded in Harris County Clerks File Number U093023 and being in the north line of the said existing Surf Oaks Drive;

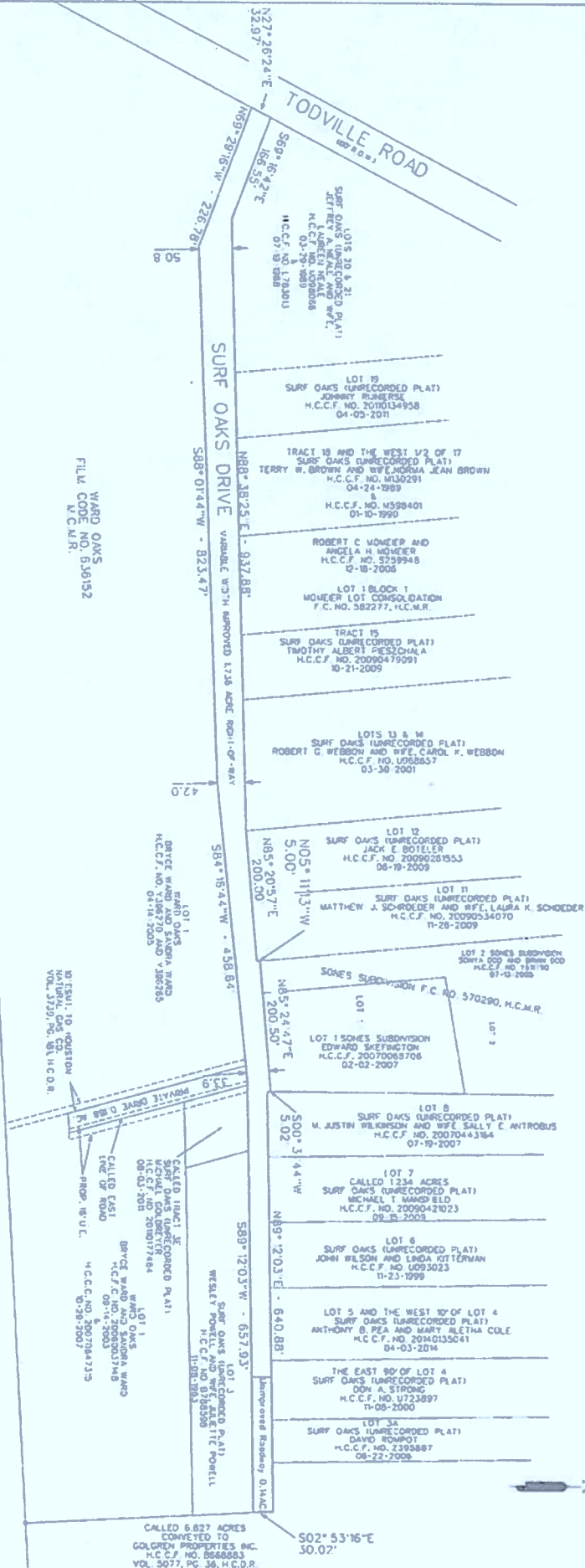
Thence North 89 deg. 12 min.03 sec. East along the common south line of said Lot 5 and the west 10 foot of Lot 4 with the north line of Surf Oaks Drive for a distance of 104.32 feet to the southeast corner of said Lot 5 and the west 10 foot of Lot 4 same being the southwest corner of called Lot 3A and the east 90 foot of Lot 4 as described in deed recorded in Harris County Clerk's File Number Z395887;

Thence South 00 deg. 47 min. 53 sec. East crossing a portion of said Surf Oaks Drive for a distance of 15.00 feet to a point in the centerline of said Surf Oaks Drive;

Thence South 89 deg. 12 min. 03 sec. West along the centerline of said Surf Oaks Drive for a distance of 104.32 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 15.00 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



RIGHT OF WAY MAP OF
SURF OAKS DRIVE
2.064 TOTAL ACRES

DATE: 05-08-14

SCALE: NTSGF.NO: N/A

Civil Concepts, Inc.

3425 Federal Street
Pasadena, Texas 77504
Phone 713.947.6606

SURVEYING & MAPPING
CIVIL ENGINEERING, CONSTRUCTION

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 5

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 17TH day of JUNE, 2014, by and between Sonya Dod and Brian Dod, whose mailing address is 15343 Lookout Rd., Apple Valley, California 92307-2176, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,082 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 1 Sones Subdivision as per map or plat recorded in Film Code Number 570290 of the Map Records of Harris County, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 2 being described in deed recorded in Harris County Clerk's File Number Y611790,

and said 1,082 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

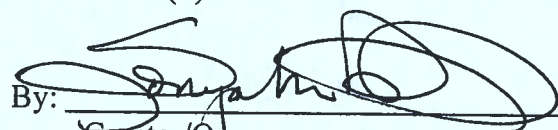
TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 17TH day of JUNE, 2014.

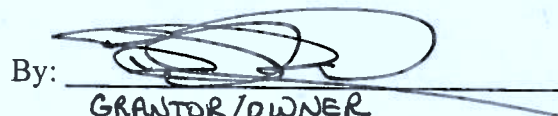
Date: JUNE 17, 2014

GRANTOR(S)

By: 
Grantor/Owner
Sonya Dod

SEE ATTACHED
NOTARIAL CERTIFICATE

Date: JUNE 17, 2014

By: 
GRANTOR/OWNER
BRIAN DOD

SEE ATTACHED
NOTARIAL CERTIFICATE

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of San Bernardino

}

SS.

On JUNE 17TH 2014 before me, **Moises Isais ; A Notary Public,**
Date (Name and Title of the Officer)

personally appeared SONYA DOD AND BRIAN DOD
Name (s) of Signer (s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity (ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public in and for said State



Notary Seal

OPTIONAL INFORMATION

Description of Attached Document PERMANENT EASEMENT
Number of Pages 4 GRANT AND DEDICATION
Document Date 6/17/2014

Right Thumbprint of Signer
(Optional)

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 2 Sones Subdivision Surf Oaks Drive

A tract of land containing 1,082 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 1 Sones Subdivision as per map or plat recorded in Film Code Number 570290 of the Map Records of Harris County, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 2 being described in deed recorded in Harris County Clerk's File Number Y611790, and said 1,082 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said Lot 2 same being in the east line of Lot 11 Surf Oaks Subdivision unrecorded, and said Lot 11 described in deed recorded in Harris County Clerks File Number 20090534070 and being in the north line of the said existing Surf Oaks Drive;

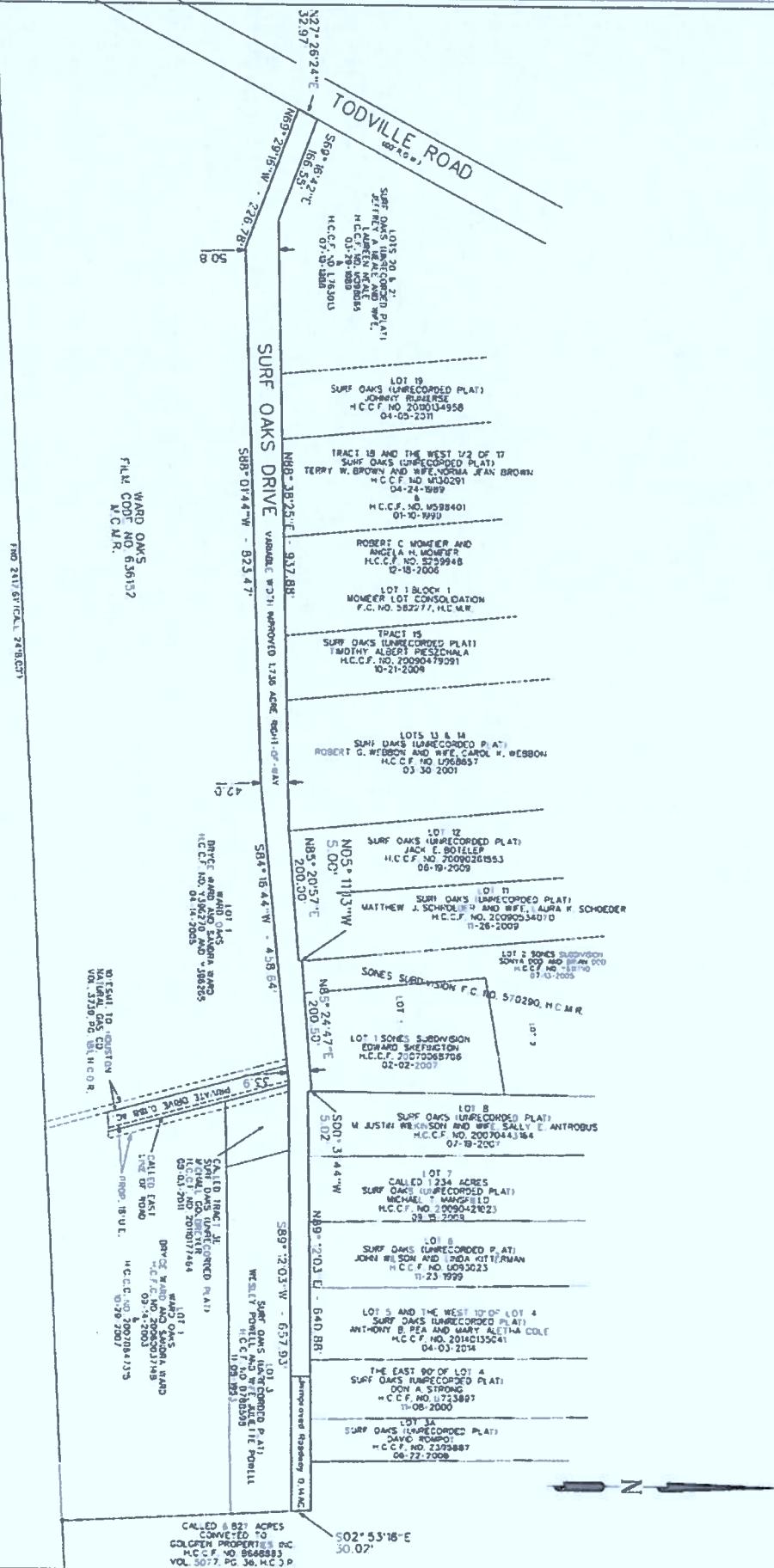
Thence North 85 deg. 24 min. 47 sec. East along the common south line of said Lot 2 with the north line of Surf Oaks Drive for a distance of 49.19 feet to the southeast corner of said Lot 2 same being the southwest corner of Lot 1 Sones Subdivision as described in deed recorded in Harris County Clerk's File Number 20070068706;

Thence South 05 deg. 11 min. 13 sec. East crossing a portion of said Surf Oaks Drive for a distance of 21.51 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 84 deg. 16 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 49.19 feet to a point for corner;

Thence North 05 deg. 11 min. 13 sec. West crossing said Surf Oaks right of way for a distance 22.48 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



RIGHT OF WAY MAP OF
SURF OAKS DRIVE
2.064 TOTAL ACRES

DATE: 05-08-14

SCALE: NTS

GF.NO: N/A

Civil Concepts, Inc.

3425 Federal Street,
Posadena, Texas 77504
Phone: 713 947 6600

Phone: 713.341.6606

**SURVEYING & MAPPING
CIVIL ENGINEERING, CONSTRUCTION**

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 6

Exhibit 7

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 25th day of June, 2014, by and between Fredrick S. Hall and Reba G. Hall, whose mailing address is 522 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,500 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 7 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 7 being described in deed recorded in Harris County Clerk's File Number 20090421023,

and said 1,500 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

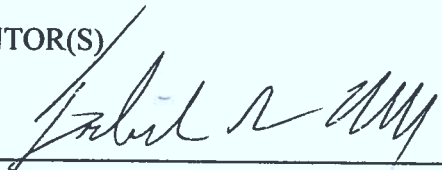
TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 25th day of June, 2014.

Date: June 25, 2014

GRANTOR(S)

By: 

Grantor/Owner
Fredrick S. Hall

Date: June 25, 2014

By: Reba G. Hall
Grantor/Owner
Reba G. Hall

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Fredrick S. Hall, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 25th day of June, 2014.



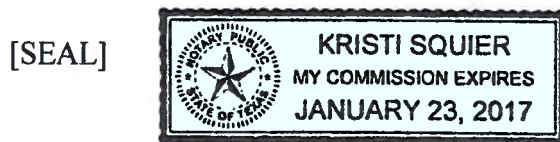
Kristi Squier
Notary Public, State of Texas

My commission expires: 1/23/17

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Reba G. Hall, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 25th day of June, 2014.



Kristi Squier
Notary Public, State of Texas

My commission expires: 1/23/17

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 7 Surf Oaks Drive

A tract of land containing 1,500 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 7 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 7 being described in deed recorded in Harris County Clerk's File Number 20090421023, and said 1,500 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 7 same being the most southeast corner of called Lot 8 as per deed recorded in Harris County Clerks File Number 20070443164 and being in the north line of the said existing Surf Oaks Drive;

Thence North 89 deg. 12 min.03 sec. East along the common south line of said Lot 7 with the north line of Surf Oaks Drive for a distance of 100.00 feet to the southeast corner of said Lot 7 same being the southwest corner of called Lot 6 as described in deed recorded in Harris County Clerk's File Number U093023;

Thence South 00 deg. 47 min. 53 sec. East crossing a portion of said Surf Oaks Drive for a distance of 15.00 feet to a point in the centerline of said Surf Oaks Drive;

Thence South 89 deg. 12 min. 03 sec. West along the centerline of said Surf Oaks Drive for a distance of 100.00 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 15.00 feet to the place of beginning.

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot 3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

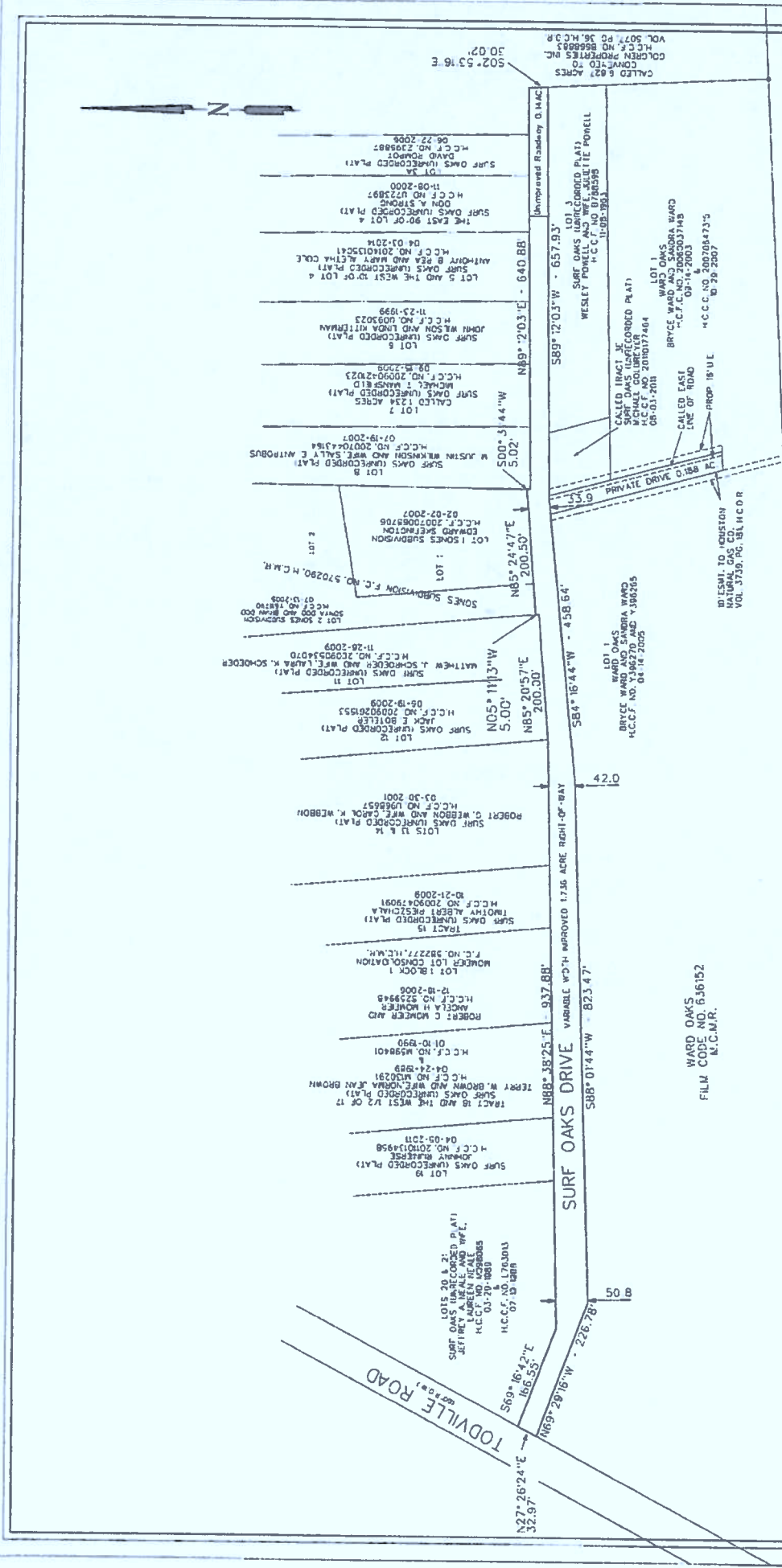
Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.



RIGHT OF WAY MAP OF
SURF OAKS DRIVE
2.064 TOTAL ACRES



Civil Concepts, Inc.

3425 Federal Street
Pasadena, Texas 77504
Phone: 713.947.6606

**SURVEYING & MAPPING
CIVIL ENGINEERING, CONSTRUCTION**

DATE: 05-08-14

SCALE: NTS

CF. NO: N/A

DATE 2017 6/11 CAL 24 B.C.71

HOUSTON AND HARPER COUNTY GIRLS SCOUTS, INC.
CALL 43195 ACERS
TAYLOR COUNTY H.C.D.R.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

Exhibit 8

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 18 day of June, 2014, by and between Robert C. Momeier and Angela Momeier, whose mailing address is 558 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 4,537 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 1 Block 1 Momeier Lot Consolidation as per map or plat recorded in Film Code Number 58227 of the Map Records of Harris County, also being the east ½ of Lot 17 and all of Lot 16 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said west ½ of Lot 17 and all of Lot 16 being described in deed recorded in Harris County Clerk's File Number S259948,

and said 4,537 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby

conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 18 day of June, 2014.

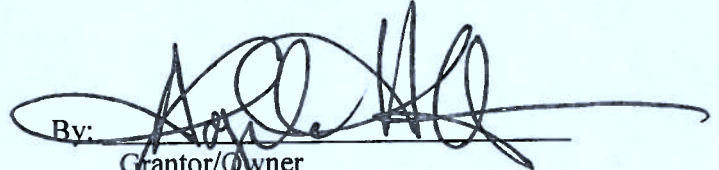
GRANTOR(S)

Date: 6/18, 2014

By: 

Grantor/Owner
Robert C. Momeier

Date: 6/18, 2014

By: 
Grantor/Owner
Angela Momeier

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

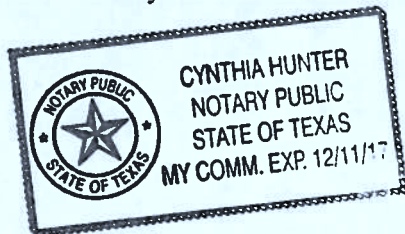
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Robert C. Momeier, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 18 day of June, 2014.

[SEAL]



Cynthia Hunter
Notary Public, State of Texas

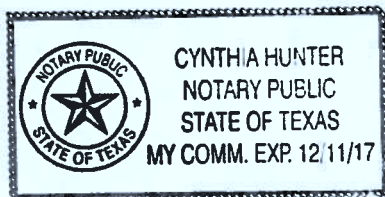
My commission expires: 12/11/17

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Angela Momeier, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 18 day of June, 2014.

[SEAL]



Cynthia Hunter
Notary Public, State of Texas

My commission expires: 12/11/17

After recording return to:

City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
East ½ Lot 17 and Lot 16 Surf Oaks Drive
Also Being Lot 1 Block 1 Momeier Lot Consolidation

A tract of land containing 4,537 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 1 Block 1 Momeier Lot Consolidation as per map or plat recorded in Film Code Number 58227 of the Map Records of Harris County, also being the east ½ of Lot 17 and all of Lot 16 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said west ½ of Lot 17 and all of Lot 16 being described in deed recorded in Harris County Clerk's File Number S259948, and said 4,537 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 1 Block 1 same being the most southeast corner of called west ½ of Lot 17 as per deed recorded in Harris County Clerks File Number M598401 and being in the north line of the said existing Surf Oaks Drive;

Thence North 88 deg. 38 min. 25 sec. East along the common south line of said Lot 1 Block 1 with the north line of Surf Oaks Drive for a distance of 150.33 feet to the southeast corner of said Lot 1 same being the southwest corner of called Lot 15 as described in deed recorded in Harris County Clerk's File Number 20090479091;

Thence South 05 deg. 09 min. 42 sec. East crossing a portion of said Surf Oaks Drive for a distance of 29.45 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 88 deg. 01 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 150.23 feet to a point for corner;

Thence North 05 deg. 09 min. 42 sec. West crossing said Surf Oaks right of way for a distance 31.05 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

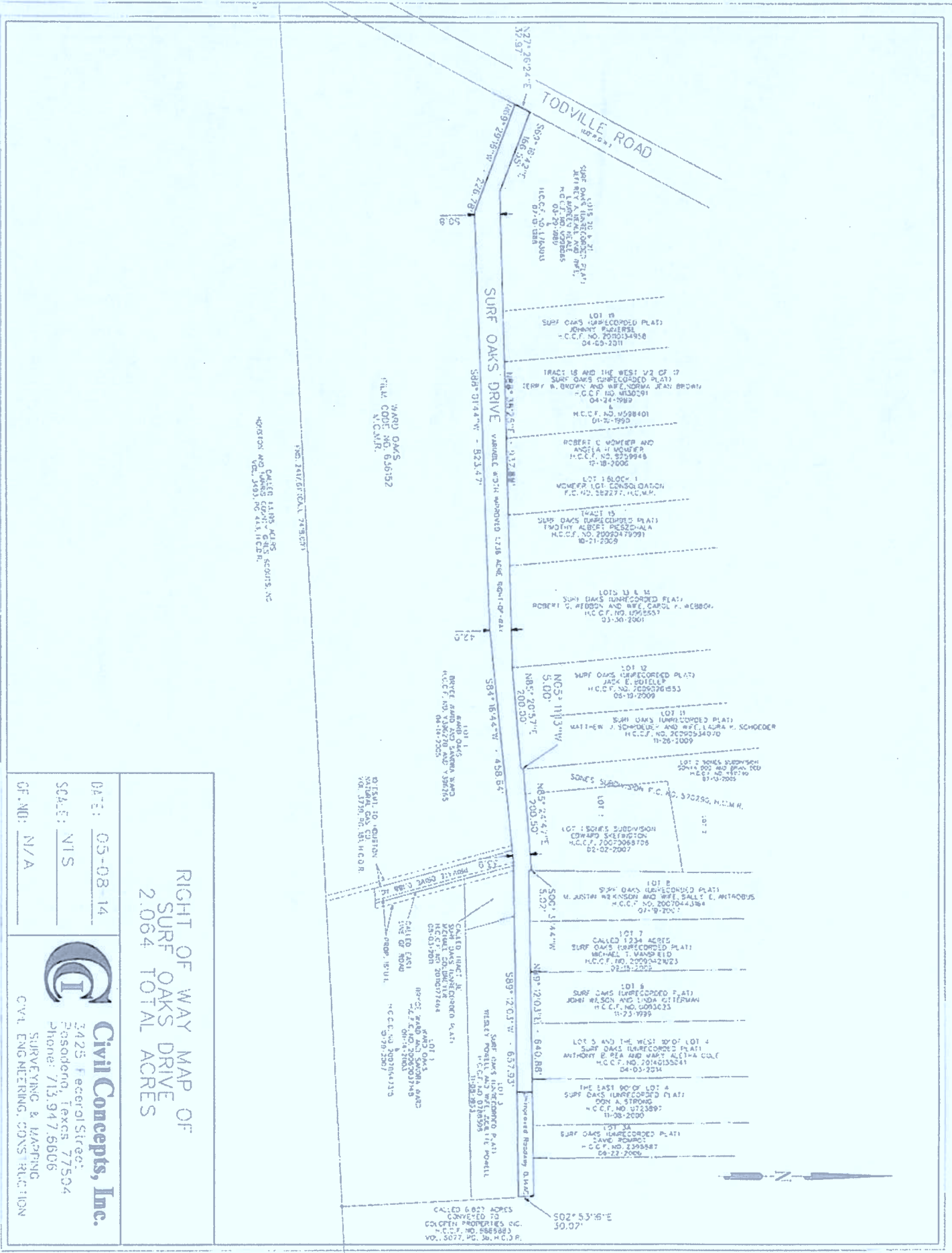


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 9

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 20th day of JUNE, 2014, by and between Jeffrey A. Neale and Lauren Neale, whose mailing address is 578 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 10,873 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lots 20 and 21 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lots 20 and 21 being described in deed recorded in Harris County Clerk's file numbers L763013 and M098066,

and said 10,873 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

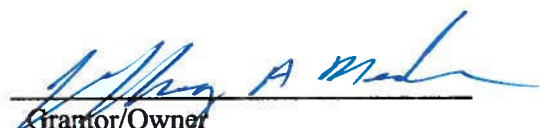
TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 20TH day of June, 2014.

GRANTOR(S)

Date: June 20th, 2014

By: 

Grantor/Owner
Jeffrey A. Neale

Date: June 20th, 2014

By: 
Grantor/Owner
Laureen Neale

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

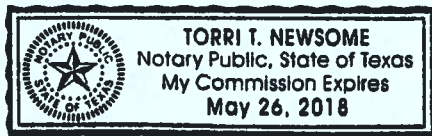
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Jeffrey A. Neale, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 20th day of June, 2014.

[SEAL]



Torri Newsome
Notary Public, State of Texas

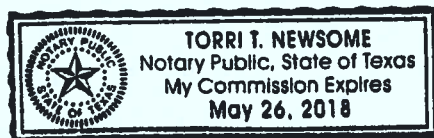
My commission expires: MAY 26 2018

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Lauren Neale, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 20th day of June, 2014.

[SEAL]



Torri Newsome
Notary Public, State of Texas

My commission expires: MAY 26 2018

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lots 20 and 21 Surf Oaks Drive

A tract of land containing 10,873 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lots 20 and 21 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lots 20 and 21 being described in deed recorded in Harris County Clerk's file numbers L763013 and M098066, and said 10,873 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 21 same being the intersection of the east line of Todville Road based on an 80 foot wide right of way with the north line of said Surf Oaks Drive;

Thence South 69 deg. 16 min. 42 sec. East along the common south line of said Lot 21 with the north line of Surf Oaks Drive for a distance of 166.55 feet to a point for corner;

Thence North 88 deg. 38 min. 25 sec. East continuing along the north line of said Surf Oaks Drive same being the south line of said Lots 21 and 20 for a distance of 235.80 feet to the southeast corner of said Lot 20, same being the southwest corner of called Lot 19 as described in deed recorded in Harris County Clerk's File Number 20110134958;

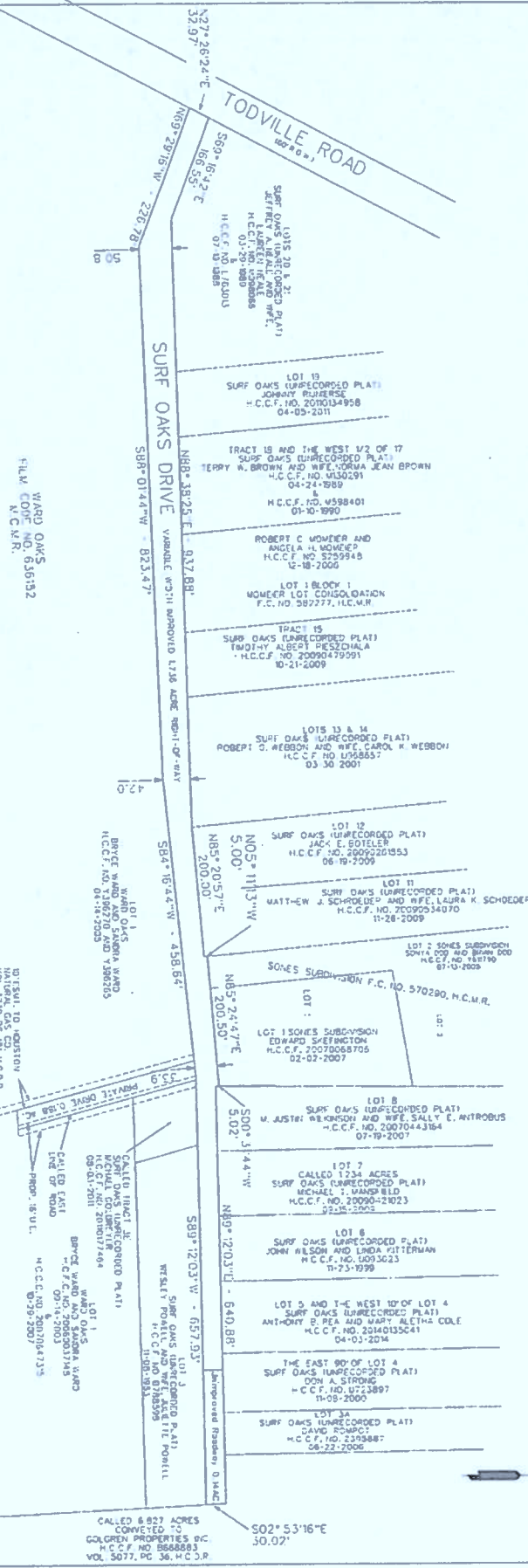
Thence South 05 deg. 09 min. 42 sec. East crossing a portion of said Surf Oaks Drive for a distance of 33.73 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 88 deg. 01 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 194.98 feet to a point for corner;

Thence North 69 deg. 29 min. 16 sec. West continuing along the common north line of said 15 foot wide right of way for a distance of 221.98 feet to a point for corner in the east line of said Todville Road;

Thence North 27 deg. 26 min. 24 sec. East along the east line of said Todville Road and crossing said Surf Oaks right of way for a distance of 17.86 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



**RIGHT OF WAY MAP OF
SURF OAKS DRIVE
2.064 TOTAL ACRES**

DATE: 05-08-14

SCALE: NTS

CF. NO: N/A

Civil Concepts, Inc.

3425 Federal Street
Pasadena, Texas 77504
Phone: 713.947.6606

SURVEYING & MAPPING
CIVIL ENGINEERING, CONSTRUCTION

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 10

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16 day of JUNE, 2014, by and between Timothy A. Pieszchala, whose mailing address is 554 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 2,891 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 15 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 15 being described in deed recorded in Harris County Clerk's File Number 20090479091,

and said 2,891 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

TAP

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

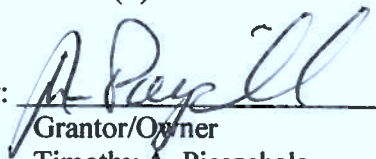
This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 16 day of JUNE, 2014.

Date: 16 JUNE, 2014

GRANTOR(S)

By:


Grantor/Owner
Timothy A. Pieszchala

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

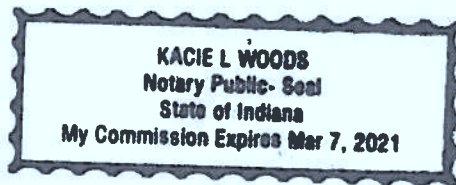
ACKNOWLEDGEMENT

STATE OF ~~TEXAS~~ ^{Indiana} §
COUNTY OF ~~HARRIS~~ ^{Porter} §
§

BEFORE ME, the undersigned authority, on this day personally appeared Timothy A. Pieszchala, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.

[SEAL]



Kacie L Woods
Notary Public, State of ~~Texas~~ Indiana

My commission expires: March 7, 2021

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 15 Surf Oaks Drive

A tract of land containing 2,891 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 15 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 15 being described in deed recorded in Harris County Clerk's File Number 20090479091, and said 2,891 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 15 same being the most southeast corner of called Lot 1 Block 1 Momeier Lot Consolidation as per map or plat recorded in Film Code Number 582277 of the Map Records of Harris County, Texas and being in the north line of the said existing Surf Oaks Drive;

Thence North 88 deg. 38 min. 25 sec. East along the common south line of said Lot 15 with the north line of Surf Oaks Drive for a distance of 100.22 feet to the southeast corner of said Lot 15 same being the southwest corner of called Lot 14 as described in deed recorded in Harris County Clerk's File Number U968657;

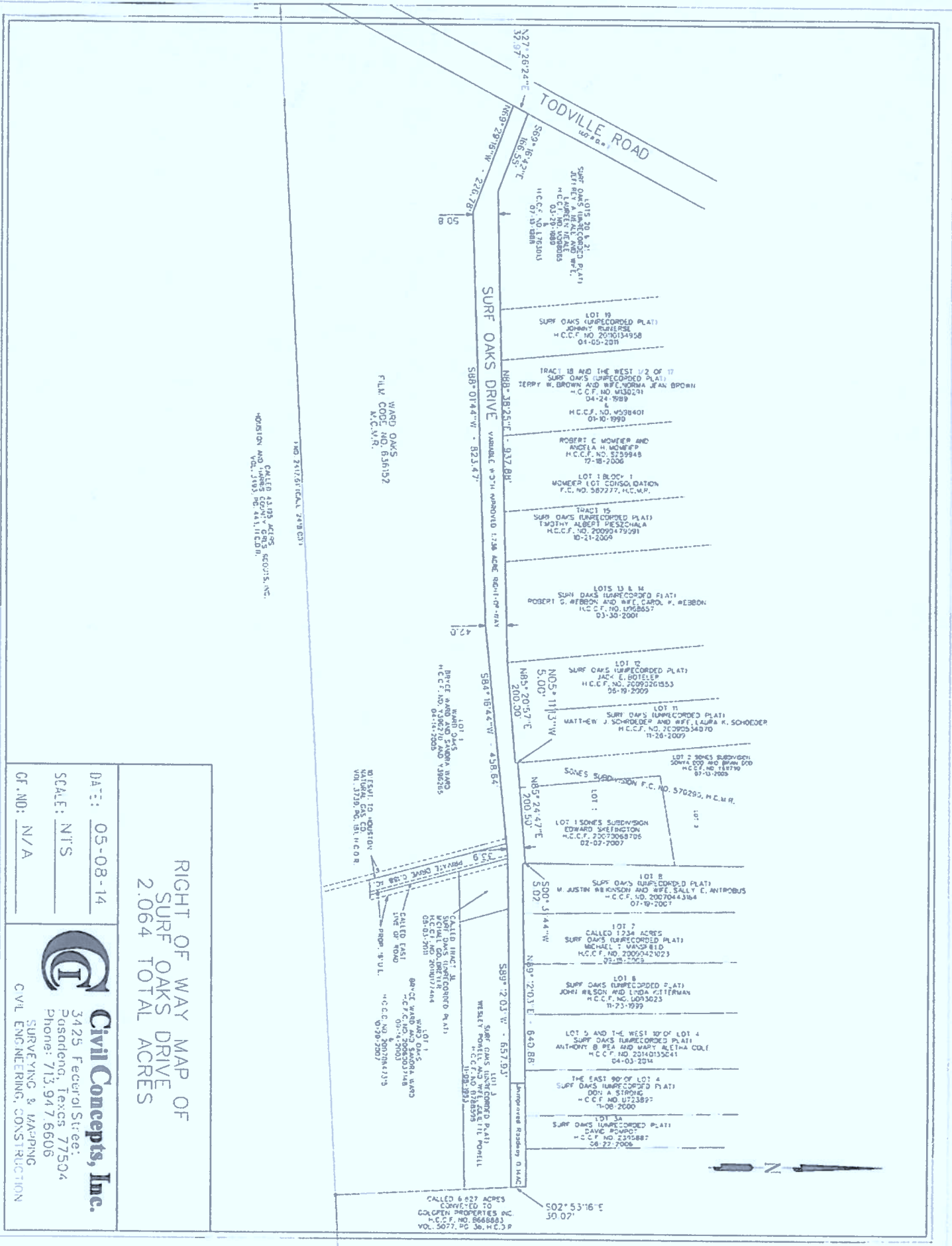
Thence South 05 deg. 09 min. 42 sec. East crossing a portion of said Surf Oaks Drive for a distance of 28.37 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 88 deg. 01 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 100.15 feet to a point for corner;

Thence North 05 deg. 09 min. 42 sec. West crossing said Surf Oaks right of way for a distance 29.45 feet to the place of beginning.

TAP

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



RIGHT OF WAY MAP OF
SURF OAKS DRIVE
2.064 TOTAL ACRES

DATE: 05-08-14

SCALE: N.T.S.

GF. NO: N/A



Civil Concepts, Inc.

3425 Federal Street,
Pasadena, Texas 77504
Phone: 713.947.6606

SURVEYING & MAPPING
CIVIL ENGINEERING, CONSTRUCTION

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

TAP

Exhibit 11

01 24/10/2023

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 20 day of June, 2014, by and between Wesley Powell, whose mailing address is 509 Surf Oaks Dr., Seabrook, Texas 77586-1821, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 8,273 sq. ft. being the existing driveway right of way adjacent to and north of a tract known as Lot 3 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 3 being described in deed recorded in Harris County Clerk's file number B788598,

and said 8,273 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

The following table shows the results of the analysis of variance for the dependent variable of the number of days of absence due to illness or injury for the period 1990-1994.

The results of the analysis of variance are presented in the following table. The results show that there is a significant difference in the number of days of absence due to illness or injury between the two groups.

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The results of the analysis of variance are presented in the following table. The results show that there is a significant difference in the number of days of absence due to illness or injury between the two groups.

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 20 day of June, 2014.

GRANTOR(S)

Date: June 20, 2014

By:

Wesley Powell
Grantor/Owner
Wesley Powell

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Wesley Powell, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 20 day of June, 2014.




Notary Public, State of Texas

My commission expires: 10/21/2014

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

THE STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared _____, 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 consideration therein expressed.

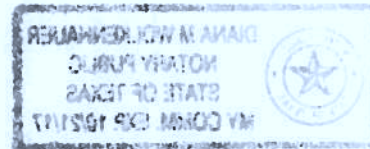


EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
East 551.27 feet of Lot 3 Surf Oaks Drive

A tract of land containing 8,273 sq. ft. being the existing driveway right of way adjacent to and north of a tract known as Lot 3 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 3 being described in deed recorded in Harris County Clerk's file number B788598, and said 8,273 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Lot 3, in the south line of Surf Oaks Drive being North 89 deg. 12 min. 03 sec. East along the north line of said Lot 3 same being the south line of Surf Oaks Drive for a distance 100.00 feet from the northwest corner of said Lot 3, said beginning point also being the northwest corner of a 0.2290 acre tract as per deed recorded in Harris County Clerks File Number 20110177464;

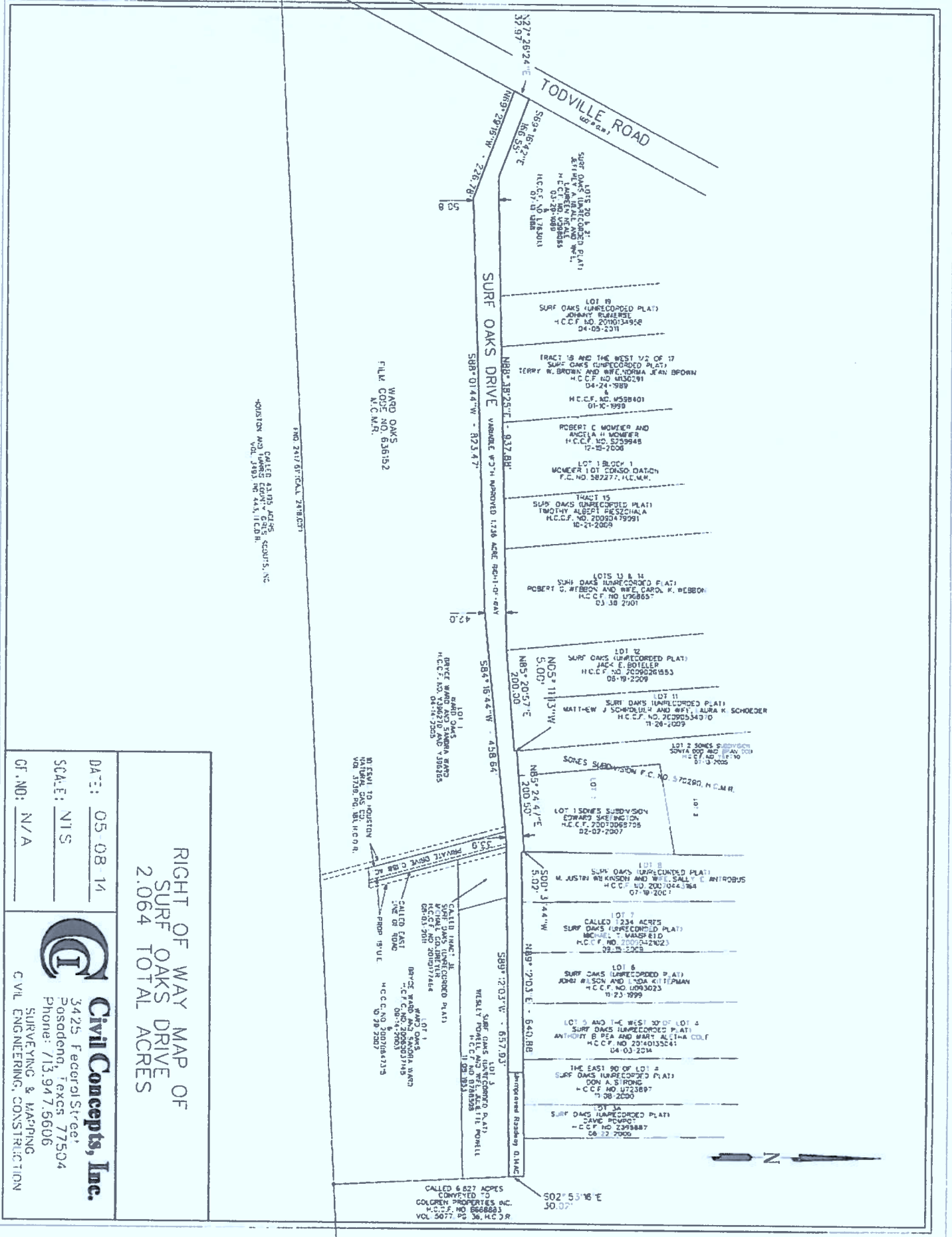
Thence North 00 deg. 47 min. 57 sec. West crossing said Surf Oaks Drive for a distance of 15.00 feet to a point in the centerline of said Surf Oaks Drive;

Thence North 89 deg. 12 min. 03 sec. East along the centerline of said Surf Oaks Drive for a distance of 551.27 feet to a point for corner in the west line of a called 6.827 acre tract described in deed recorded in Harris County Clerk's File Number B668883;

Thence South 02 deg. 53 min. 16 sec. East crossing a portion of said Surf Oaks Drive along the west line of said 6.827 acre tract for a distance of 15.00 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 551.82 feet to the Place of Beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



DATE: 05-08-14

SCALE: NTS

CF. NO: N/A

RIGHT OF WAY MAP OF

SURF OAKS DRIVE

2.064 TOTAL ACRES

Civil Concepts, Inc.

3425 Federal Street

Pasadena, Texas 77504

Phone: 713.947.6606

SURVEYING & MAPPING

CIVIL ENGINEERING, CONSTRUCTION

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot 3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 12

Exhibit 12

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this _____ day of _____, 2014, by and between Johnny Rijnierse, whose mailing address is 570 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 3,319 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 19 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 19 being described in deed recorded in Harris County Clerk's File Number 20110134958,

and said 3,319 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this

_____ day of _____, 2014.

GRANTOR(S)

Date: 06-23, 2014

By: _____

Grantor/Owner
Johnny Rijnierse

the Commission is not a court of law and it is not its function to determine the merits of a case. The Commission's role is to ensure that the process is fair and that the parties are treated equally.

The Commission is not a court of law and it is not its function to determine the merits of a case. The Commission's role is to ensure that the process is fair and that the parties are treated equally. The Commission is not a court of law and it is not its function to determine the merits of a case. The Commission's role is to ensure that the process is fair and that the parties are treated equally.

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Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of
_____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Johnny Rijnierse, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the ____ day of _____, 2014.

[SEAL]

Notary Public, State of Texas

My commission expires: _____

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

ARTICLE 10

SECTION 10.1
SECTION 10.2

10.1.1. The undersigned hereby certify that the person whose name is described in the foregoing paragraph, and who is designated as such in the name of the undersigned, is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family.

10.1.2. The undersigned hereby certify that the person whose name is described in the foregoing paragraph, and who is designated as such in the name of the undersigned, is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family.

10.1.3. The undersigned hereby certify that the person whose name is described in the foregoing paragraph, and who is designated as such in the name of the undersigned, is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family.

10.1.4. The undersigned hereby certify that the person whose name is described in the foregoing paragraph, and who is designated as such in the name of the undersigned, is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family.

10.1.5. The undersigned hereby certify that the person whose name is described in the foregoing paragraph, and who is designated as such in the name of the undersigned, is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family, and who is a person who is a member of the undersigned's family.

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 19 Surf Oaks Drive

A tract of land containing 3,319 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 19 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 19 being described in deed recorded in Harris County Clerk's File Number 20110134958, and said 3,319 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 19 same being the most southeast corner of called Lot 20 as per deed recorded in Harris County Clerks File Number L763013 and being in the north line of the said existing Surf Oaks Drive;

Thence North 88 deg. 38 min. 25 sec. East along the common south line of said Lot 19 with the ~~north line~~ of Surf Oaks Drive for a distance of 100.22 feet to the southeast corner of said Lot 19 ~~same being~~ the southwest corner of called Lot 18 as described in deed recorded in Harris County Clerk's File Number M598401;

Thence South 05 deg. 09 min. 42 sec. East crossing a portion of said Surf Oaks Drive for a distance of 32.66 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 88 deg. 01 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 100.15 feet to a point for corner;

Thence North 05 deg. 09 min. 42 sec. West crossing said Surf Oaks right of way for a distance of 33.73 feet to the place of beginning.

EXHIBIT A
NOTES AND RECORDS

City of Los Angeles
Department of Water Services
100 South Main Street

At a meeting of the Board of Directors of the City of Los Angeles, held on the 10th day of May, 1994, at the City Administration Center, 100 South Main Street, Los Angeles, California, the following resolution was adopted:

Resolved, that the City of Los Angeles, through the Department of Water Services, is authorized to enter into a contract with the City of Los Angeles for the purchase of water for the City of Los Angeles.

That the City of Los Angeles, through the Department of Water Services, is authorized to enter into a contract with the City of Los Angeles for the purchase of water for the City of Los Angeles.

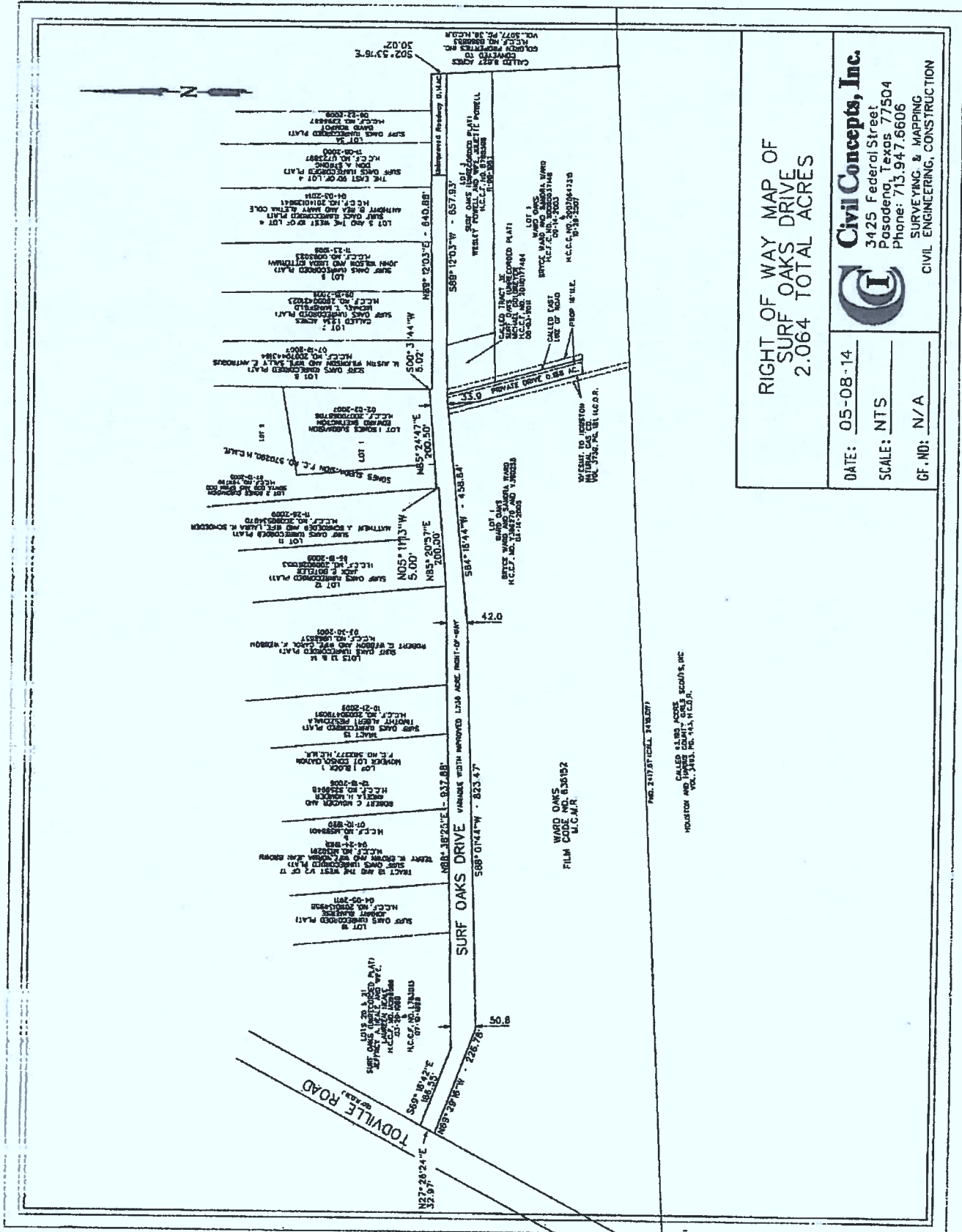
That the City of Los Angeles, through the Department of Water Services, is authorized to enter into a contract with the City of Los Angeles for the purchase of water for the City of Los Angeles.

That the City of Los Angeles, through the Department of Water Services, is authorized to enter into a contract with the City of Los Angeles for the purchase of water for the City of Los Angeles.

That the City of Los Angeles, through the Department of Water Services, is authorized to enter into a contract with the City of Los Angeles for the purchase of water for the City of Los Angeles.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

STATION 10
STATION 10
STATION 10



DATE: 10/10/2008	TIME: 10:00 AM
BY: [Signature]	FOR: [Signature]
JAN CONCEPT INC.	
3001 10th Ave NW Seattle, WA 98107 206.461.1000	



EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot 3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 30.02 feet to the place of beginning.

Exhibit 13

Exhibit 3

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16 day of JUNE, 2014, by and between C. James Mans, Independent Executor for the Estate of David Rompot and Karen Rompot, whose mailing address is 506 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 982 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot3A Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 3A being described in deed recorded in Harris County Clerk's File Number Z395887,

and said 982 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby

conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this

16 day of JUNE, 2014.

GRANTOR(S)

Date: JUNE 16, 2014

By: 

Grantor/Owner
Karen Rompot

Date: June 16, 2014

By:

C. James Mans
Grantor/Owner
C. James Mans, Independent Executor
for the Estate of David Rompot

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By:

GLENN ROYAL, Mayor

ATTEST:

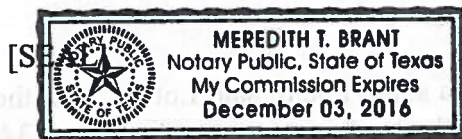
Michele Glaser, TMRC
City Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Karen Rompot, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.



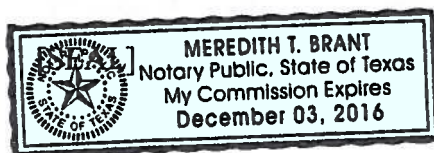
Meredith T. Brant
Notary Public, State of Texas

My commission expires: 12/3/16

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared C. James Mans, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he is the Independent Executor for the Estate of David Rompot, owner of the subject property, and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.



Meredith T. Brant
Notary Public, State of Texas

My commission expires: 12/3/16

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 3A Surf Oaks Drive

A tract of land containing 982 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 3A Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 3A being described in deed recorded in Harris County Clerk's File Number Z395887, and said 982 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 3A same being the southeast corner of called East 90 foot of Lot 4 as per deed recorded in Harris County Clerks File Number U723897 and being in the north line of the said existing Surf Oaks Drive;

Thence North 89 deg. 12 min. 03 sec. East along the common south line of said Lot 3A with the north line of Surf Oaks Drive for a distance of 65.61 feet to the southeast corner of said Lot 3A same being the most westerly southwest corner of called 6.827 acre tract as described in deed recorded in Harris County Clerk's File Number B668883;

Thence South 00 deg. 47 min. 53 sec. East crossing a portion of said Surf Oaks Drive for a distance of 15.00 feet to a point for corner in the centerline of said Surf Oaks Drive;

Thence South 89 deg. 12 min. 03 sec. West along the centerline of said Surf Oaks Drive for a distance of 65.51 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 15.00 feet to the place of beginning.



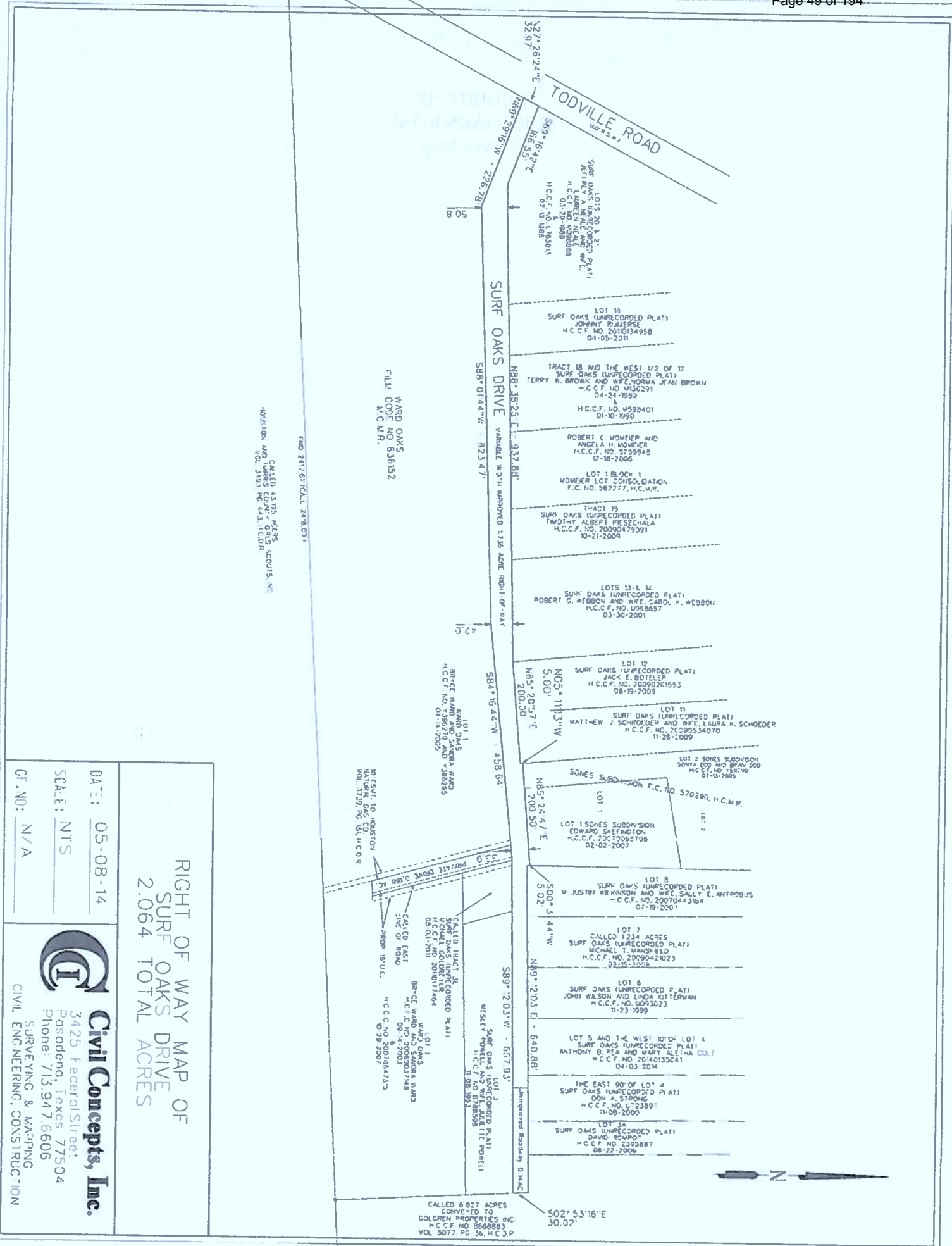


EXHIBIT "B"
SURF OAKS ROAD
Survey Map

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 14

EXHIBIT 14

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16th day of June, 2014, by and between Matthew J. Schroeder and Laura K. Schroeder, whose mailing address is 536 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,848 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 11 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 11 being described in deed recorded in Harris County Clerk's File Number 20090534070,

the following information is being provided to you for your information only. It is not intended to be a substitute for legal advice. If you need legal advice, you should consult with a lawyer.

THE FOLLOWING INFORMATION IS BEING PROVIDED TO YOU FOR YOUR INFORMATION ONLY.

IT IS NOT INTENDED TO BE A SUBSTITUTE FOR LEGAL ADVICE.

IF YOU NEED LEGAL ADVICE, YOU SHOULD CONSULT WITH A LAWYER. THE FOLLOWING INFORMATION IS BEING PROVIDED TO YOU FOR YOUR INFORMATION ONLY. IT IS NOT INTENDED TO BE A SUBSTITUTE FOR LEGAL ADVICE. IF YOU NEED LEGAL ADVICE, YOU SHOULD CONSULT WITH A LAWYER.

THE FOLLOWING INFORMATION IS BEING PROVIDED TO YOU FOR YOUR INFORMATION ONLY. IT IS NOT INTENDED TO BE A SUBSTITUTE FOR LEGAL ADVICE. IF YOU NEED LEGAL ADVICE, YOU SHOULD CONSULT WITH A LAWYER.

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IF YOU NEED LEGAL ADVICE, YOU SHOULD CONSULT WITH A LAWYER. THE FOLLOWING INFORMATION IS BEING PROVIDED TO YOU FOR YOUR INFORMATION ONLY. IT IS NOT INTENDED TO BE A SUBSTITUTE FOR LEGAL ADVICE.

and said 1,848 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby

conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

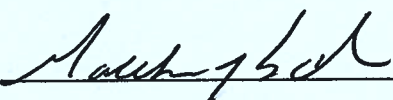
TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 16th day of June, 2014.

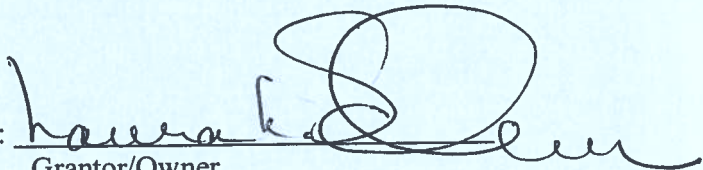
GRANTOR(S)

Date: 16th of June 2014

By: 

Grantor/Owner
Matthew J. Schroeder

Date: 11th of June 2014

By: 
Grantor/Owner
Laura K. Schroeder

Accepted and agreed by the City of Seabrook, Texas, on this the 11th day of
June, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

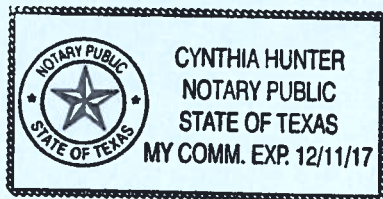
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Matthew J. Schroeder, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.

[SEAL]



Cynthia Hunter
Notary Public, State of Texas

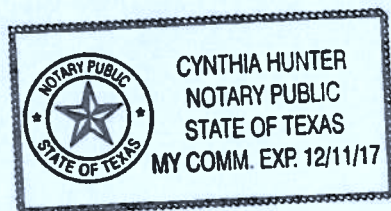
My commission expires: 12/11/17

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Laura K. Schroeder, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.

[SEAL]



Cynthia Hunter
Notary Public, State of Texas

My commission expires: 12/11/17

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586



EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 11 Surf Oaks Drive

A tract of land containing 1,848 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 11 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 11 being described in deed recorded in Harris County Clerk's File Number 20090534070, and said 1,848 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 11 same being the most southeast corner of called Lot 12 as per deed recorded in Harris County Clerks File Number 20090261553 and being in the north line of the said existing Surf Oaks Drive;

Thence North 85 deg. 20 min. 57 sec. East along the common south line of said Lot 11 with the north line of Surf Oaks Drive for a distance of 100.21 feet to the southeast corner of said Lot 11 same being the southwest corner of called Lot 2 Sones Subdivision as per map or plat recorded in Film Code Number 570290 of the Map Records of Harris County, and described in deed recorded in Harris County Clerk's File Number Y611790;

Thence South 05 deg. 11 min. 13 sec. East crossing a portion of said Surf Oaks Drive for a distance of 17.48 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 84 deg. 16 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 100.51 feet to a point for corner;

Thence North 04 deg. 17 min. 37 sec. West crossing said Surf Oaks right of way for a distance of 19.36 feet to the place of beginning.

CHART 1-2017-2020



EXHIBIT "B"
SURF OAKS ROAD
Survey Map

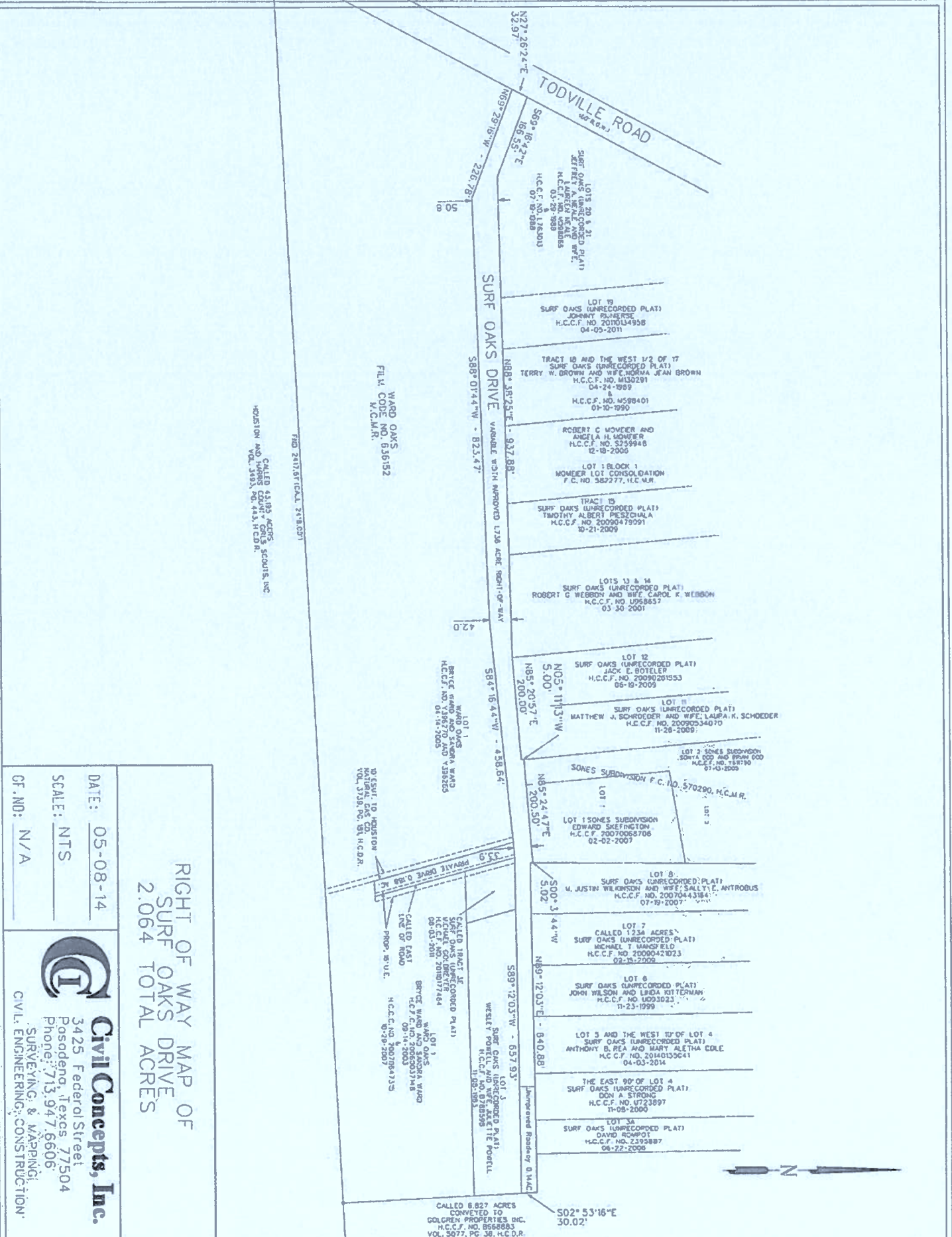


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 15

et. 10/1/13

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 26th day of June, 2014, by and between Edward E. Skeffington, whose mailing address is 534 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 3,022 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 1 Sones Subdivision as per map or plat recorded in Film Code Number 570291, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 1 being described in deed recorded in Harris County Clerk's File Number 20070068706,

and said 3,022 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

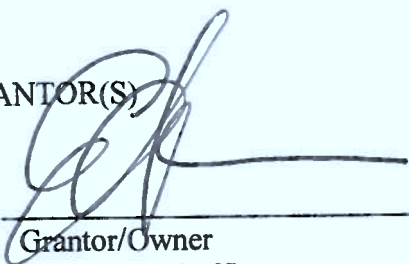
This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 26th day of June, 2014.

Date: 6/24, 2014

GRANTOR(S)
By: 
Grantor/Owner
Edward E. Skeffington

Accepted and agreed by the City of Seabrook, Texas, on this the _____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

to the extent that the information is not otherwise available to the public, the information is exempt from disclosure under the Freedom of Information Act, 5 U.S.C. § 552.

Very truly yours,

[Signature]

[Signature]

(b) (5)

[Signature]

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

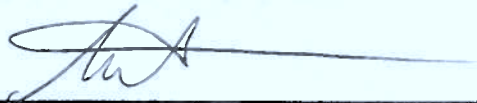
BEFORE ME, the undersigned authority, on this day personally appeared Edward E. Skeffington, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 26th day of June, 2014.

[SEAL]



SABINE SCHRADER
NOTARY PUBLIC
STATE OF TEXAS
MY COMMISSION EXPIRES
JUNE 2, 2016



Notary Public, State of Texas

My commission expires: June 2, 2016

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

DECLARATION

STATE OF

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of [County Name], State of [State Name].

Witness my hand and seal of office this [Day] day of [Month], [Year].

[Signature]

[Signature]

STATE OF
COUNTY OF
CLERK OF THE COURT
JUNE 2, 2011



[Signature]
[Title]
[Address]
[City, State, Zip]

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 1 Sones Subdivision Surf Oaks Drive

A tract of land containing 3,022 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 1 Sones Subdivision as per map or plat recorded in Film Code Number 570291, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 1 being described in deed recorded in Harris County Clerk's File Number 20070068706, and said 3,022 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 1 same being the most southeast corner of Lot 2 Sones Subdivision as per deed recorded in Harris County Clerks File Number Y611790 and being in the north line of the said existing Surf Oaks Drive;

Thence North 85 deg. 24 min. 47 sec. East along the common south line of said Lot 1 with the north line of Surf Oaks Drive for a distance of 151.31 feet to the southeast corner of said Lot 1 same being in the west line of called Lot 8 Surf Oaks Subdivision unrecorded as described in deed recorded in Harris County Clerk's File Number 20070443164;

Thence South 00 deg. 31 min. 44 sec. West crossing a portion of said Surf Oaks Drive for a distance of 20.02 feet to a point in the center line of said existing Surf Oaks Drive

Thence South 89 deg. 12 min. 03 sec. West along the center line of said existing Surf Oaks Drive for a distance of 16.25 feet to a point for corner;

Thence South 84 deg. 16 min. 44 sec. West continuing along the center line of said existing Surf Oaks Drive and the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas for a distance of 133.12 feet to a point for corner;

Thence North 05 deg. 11 min.13 sec. West crossing said Surf Oaks right of way for a distance 21.51 feet to the place of beginning.

EXHIBIT 10.1

Exhibit 10.1 - [Illegible Title]
[Illegible Subtitle]

[Illegible paragraph of text]

[Illegible paragraph of text]

[Illegible paragraph of text]

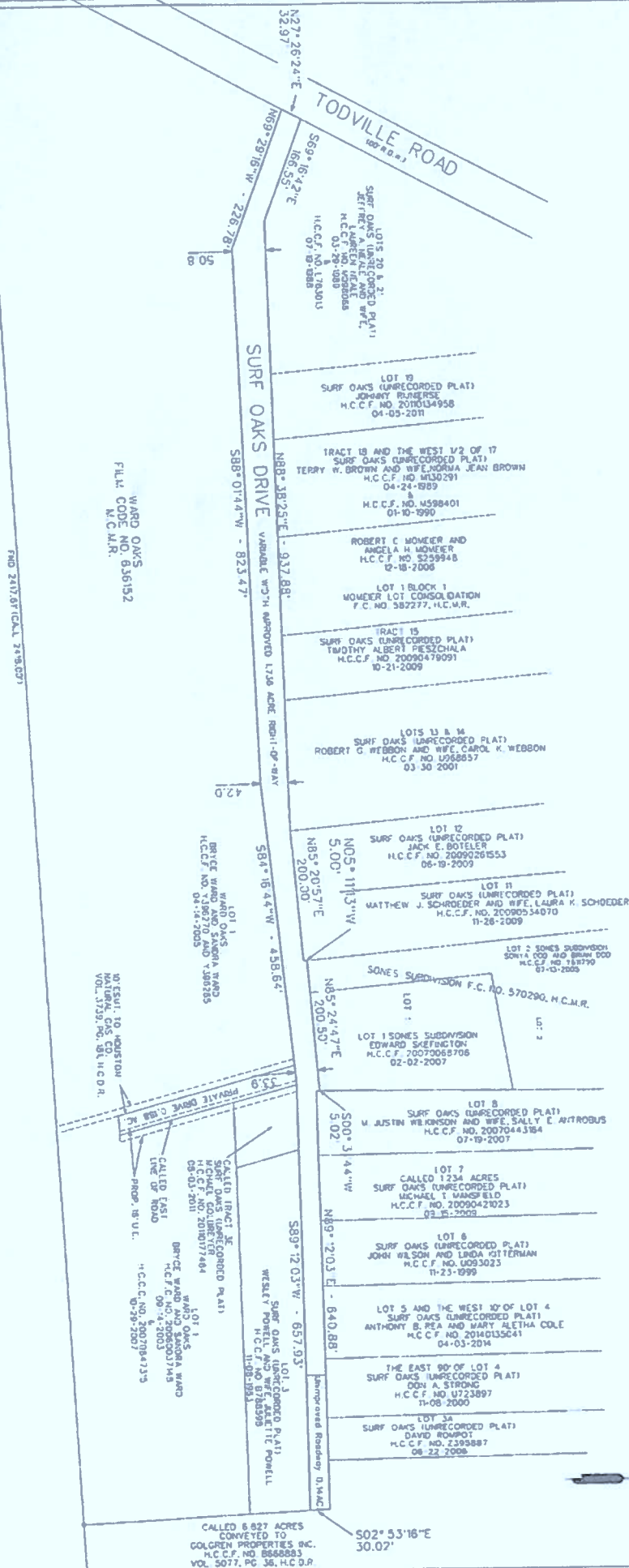
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[Illegible paragraph of text]

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



RIGHT OF WAY MAP OF
SURF OAKS DRIVE
2.064 TOTAL ACRES

DATE: 05-08-14

SCALE: NISGF.NO: N/A

Civil Concepts, Inc.

3425 Federal Street;
Pasadena, Texas 77504
Phone: 713.947.6606
SURVEYING & MAPPING
ENGINEERING, CONSTRUCTION

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 16

58 316m*2

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16th day of June, 2014, by and between Robert G. Webbon and Carolyn Webbon, whose mailing address is 550 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 5,284 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lots 13 and 14 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lots 13 and 14 being described in deed recorded in Harris County Clerk's file number U968657,

and said 5,284 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

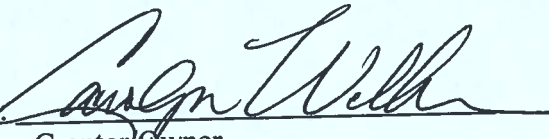
IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 16th day of June, 2014.

GRANTOR(S)

Date: June 16, 2014

By: 
Grantor/Owner
Robert G. Webbon

Date: June 16, 2014

By: 
Grantor/Owner
Carolyn Webbon

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

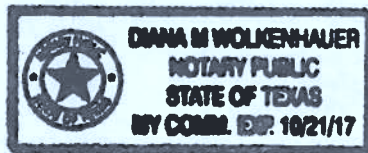
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Robert G. Webbon, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16 day of June, 2014.

[SEAL]



Diana M. Wolkenhauer
Notary Public, State of Texas

My commission expires: 10/21/2017

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Carolyn Webbon, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16 day of June, 2014.

[SEAL]



Diana M. Wolkenhauer
Notary Public, State of Texas

My commission expires: 10/21/2017

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

DECEMBER 1

1997

1997

THE STATE OF TEXAS
COUNTY OF DALLAS
I, the undersigned, Clerk of the County of Dallas, Texas, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of the County of Dallas, Texas.

Witness my hand and the seal of the County of Dallas, Texas, this 1st day of December, 1997.

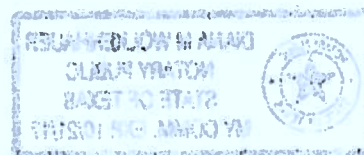
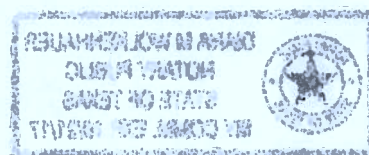


EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 13 and 14 Surf Oaks Drive

A tract of land containing 5,284 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lots 13 and 14 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lots 13 and 14 being described in deed recorded in Harris County Clerk's file number U968657, and said 5,284 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 14 same being the most southeast corner of called Lot 15 as per deed recorded in Harris County Clerks File Number 20090479091 and being in the north line of the said existing Surf Oaks Drive;

Thence North 88 deg. 38 min. 25 sec. East along the common south line of said Lots 13 and 14 with the north line of Surf Oaks Drive for a distance of 200.98 feet to the southeast corner of said Lot 13 same being the southwest corner of called Lot 12 as described in deed recorded in Harris County Clerk's File Number 20090261553;

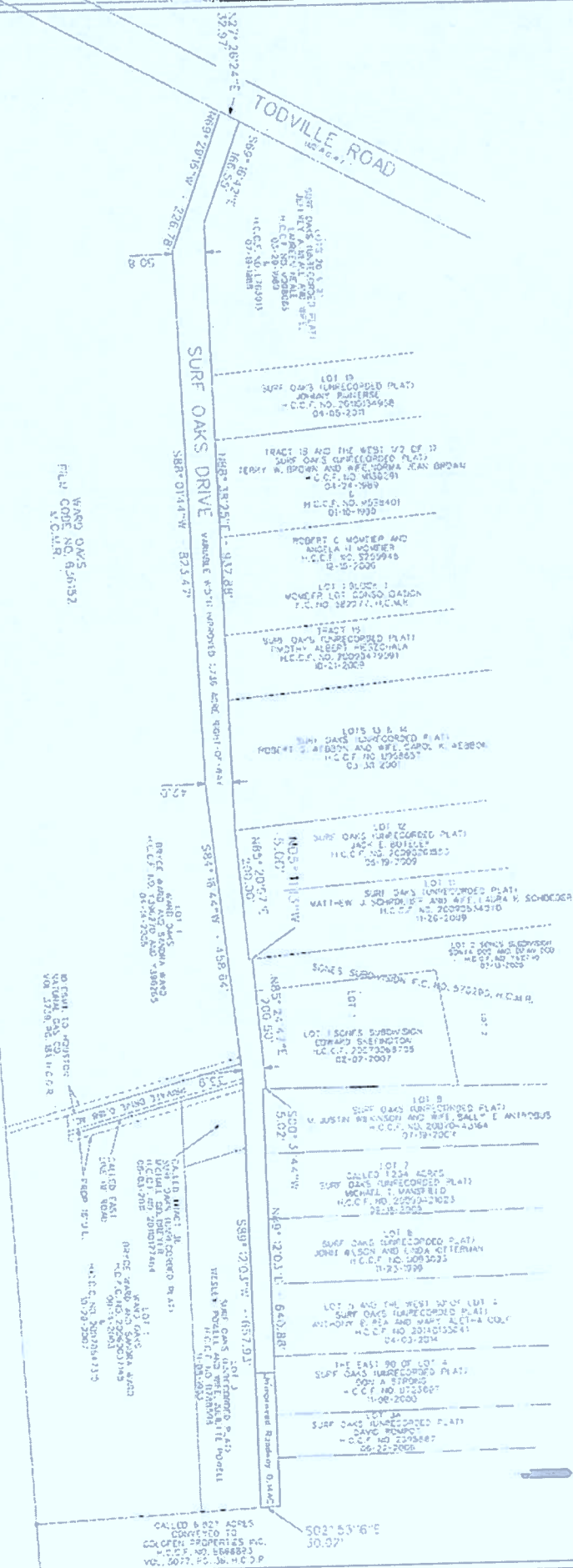
Thence South 05 deg. 15 min. 11 sec. East crossing a portion of said Surf Oaks Drive for a distance of 21.22 feet to a point in the north line of a 15 foot wide City of Seabrook right of way dedicated in and being out of the plat of Ward Oaks as per map or plat recorded in Film Code Number 636152 of the Map Records of Harris County Texas;

Thence South 84 deg. 16 min. 44 sec. West along the north line of said 15 foot wide right of way for a distance of 76.52 feet to a point for corner;

Thence South 88 deg. 01 min. 44 sec. West continuing along the north line of said 15 foot wide right of way for a distance of 124.25 feet to a point for corner;

Thence North 05 deg. 09 min. 42 sec. West crossing said Surf Oaks right of way for a distance of 28.37 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map



RIGHT OF WAY MAP OF
SURF OAKS DRIVE
2.064 TOTAL ACRES

DATE: 05-08-14

See THISGF. NO: N/A

Civil Concepts, Inc.

3425 Federal Street
Houston, Texas 77504
Phone: 713.947.5606

SURVEYING & MAPPIG
ENGINEERING, CONSTRUCTION
CIVIL ENGINEERING, CONSTRUCTION

EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot 3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

1. The Board of Directors shall have the authority to declare dividends on the common stock of the Corporation.

2. The Board of Directors shall have the authority to fix the amount of dividends to be paid on the common stock of the Corporation.

3. The Board of Directors shall have the authority to determine the date of payment of dividends on the common stock of the Corporation.

4. The Board of Directors shall have the authority to determine the persons entitled to receive dividends on the common stock of the Corporation.

5. The Board of Directors shall have the authority to determine the place of payment of dividends on the common stock of the Corporation.

6. The Board of Directors shall have the authority to determine the form of payment of dividends on the common stock of the Corporation.

7. The Board of Directors shall have the authority to determine the time of payment of dividends on the common stock of the Corporation.

8. The Board of Directors shall have the authority to determine the method of payment of dividends on the common stock of the Corporation.

9. The Board of Directors shall have the authority to determine the currency of payment of dividends on the common stock of the Corporation.

10. The Board of Directors shall have the authority to determine the language of payment of dividends on the common stock of the Corporation.

11. The Board of Directors shall have the authority to determine the interest rate of payment of dividends on the common stock of the Corporation.

12. The Board of Directors shall have the authority to determine the tax treatment of payment of dividends on the common stock of the Corporation.

13. The Board of Directors shall have the authority to determine the legal effect of payment of dividends on the common stock of the Corporation.

14. The Board of Directors shall have the authority to determine the accounting treatment of payment of dividends on the common stock of the Corporation.

15. The Board of Directors shall have the authority to determine the financial statement treatment of payment of dividends on the common stock of the Corporation.

16. The Board of Directors shall have the authority to determine the disclosure treatment of payment of dividends on the common stock of the Corporation.

17. The Board of Directors shall have the authority to determine the reporting treatment of payment of dividends on the common stock of the Corporation.

18. The Board of Directors shall have the authority to determine the filing treatment of payment of dividends on the common stock of the Corporation.

19. The Board of Directors shall have the authority to determine the record keeping treatment of payment of dividends on the common stock of the Corporation.

20. The Board of Directors shall have the authority to determine the retention treatment of payment of dividends on the common stock of the Corporation.

21. The Board of Directors shall have the authority to determine the destruction treatment of payment of dividends on the common stock of the Corporation.

22. The Board of Directors shall have the authority to determine the disposal treatment of payment of dividends on the common stock of the Corporation.

23. The Board of Directors shall have the authority to determine the transfer treatment of payment of dividends on the common stock of the Corporation.

24. The Board of Directors shall have the authority to determine the assignment treatment of payment of dividends on the common stock of the Corporation.

25. The Board of Directors shall have the authority to determine the delegation treatment of payment of dividends on the common stock of the Corporation.

26. The Board of Directors shall have the authority to determine the appointment treatment of payment of dividends on the common stock of the Corporation.

27. The Board of Directors shall have the authority to determine the election treatment of payment of dividends on the common stock of the Corporation.

28. The Board of Directors shall have the authority to determine the choice treatment of payment of dividends on the common stock of the Corporation.

29. The Board of Directors shall have the authority to determine the selection treatment of payment of dividends on the common stock of the Corporation.

30. The Board of Directors shall have the authority to determine the determination treatment of payment of dividends on the common stock of the Corporation.

31. The Board of Directors shall have the authority to determine the decision treatment of payment of dividends on the common stock of the Corporation.

32. The Board of Directors shall have the authority to determine the conclusion treatment of payment of dividends on the common stock of the Corporation.

33. The Board of Directors shall have the authority to determine the result treatment of payment of dividends on the common stock of the Corporation.

34. The Board of Directors shall have the authority to determine the end treatment of payment of dividends on the common stock of the Corporation.

35. The Board of Directors shall have the authority to determine the termination treatment of payment of dividends on the common stock of the Corporation.

Exhibit 17

7/2 11/14/23

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 4th day of June, 2014, by and between John Wilson and Linda Wilson, whose mailing address is 520 Surf Oaks Dr., Seabrook, Texas 77586-1822, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,500 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 6 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 6 being described in deed recorded in Harris County Clerk's File Number U093023,

and said 1,500 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot 3A and the East 90 foot of Lot 4 Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as constructed and utilized for over 30

years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 14th day of June, 2014.

Date: 14 JUN 2014, 2014

GRANTOR(S)

By: John Wilson
Grantor/Owner
John Wilson

Date: 6/14/14, 2014

By: 
Grantor/Owner
Linda Wilson

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

[Illegible signature]
[Illegible name]

[Illegible signature]
[Illegible name]

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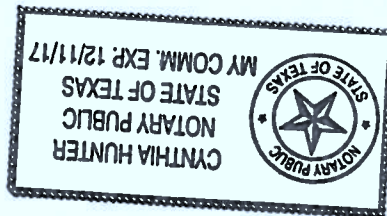
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared John Wilson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 14th day of June, 2014.

[SEAL]



Cynthia Hunter
Notary Public, State of Texas

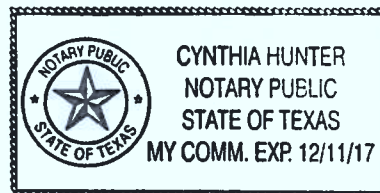
My commission expires: 12/11/17

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared ~~Lisa~~ ^{Linda Wilson} Wilson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 14th day of June, 2014.

[SEAL]



Cynthia Hunter
Notary Public, State of Texas

My commission expires: 12/11/17

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
Lot 6 Surf Oaks Drive

A tract of land containing 1,500 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as Lot 6 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said Lot 6 being described in deed recorded in Harris County Clerk's File Number U093023, and said 1,500 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called Lot 6 same being the most southeast corner of called Lot 7 as per deed recorded in Harris County Clerks File Number 20090421023 and being in the north line of the said existing Surf Oaks Drive;

Thence North 89 deg. 12 min.03 sec. East along the common south line of said Lot 6 with the north line of Surf Oaks Drive for a distance of 100.00 feet to the southeast corner of said Lot 6 same being the southwest corner of called Lot 5 as described in deed recorded in Harris County Clerk's File Number J876481;

Thence South 00 deg. 47 min. 53 sec. East crossing a portion of said Surf Oaks Drive for a distance of 15.00 feet to a point in the centerline of said Surf Oaks Drive;

Thence South 89 deg. 12 min. 03 sec. West along the centerline of said Surf Oaks Drive for a distance of 100.00 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 15.00 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

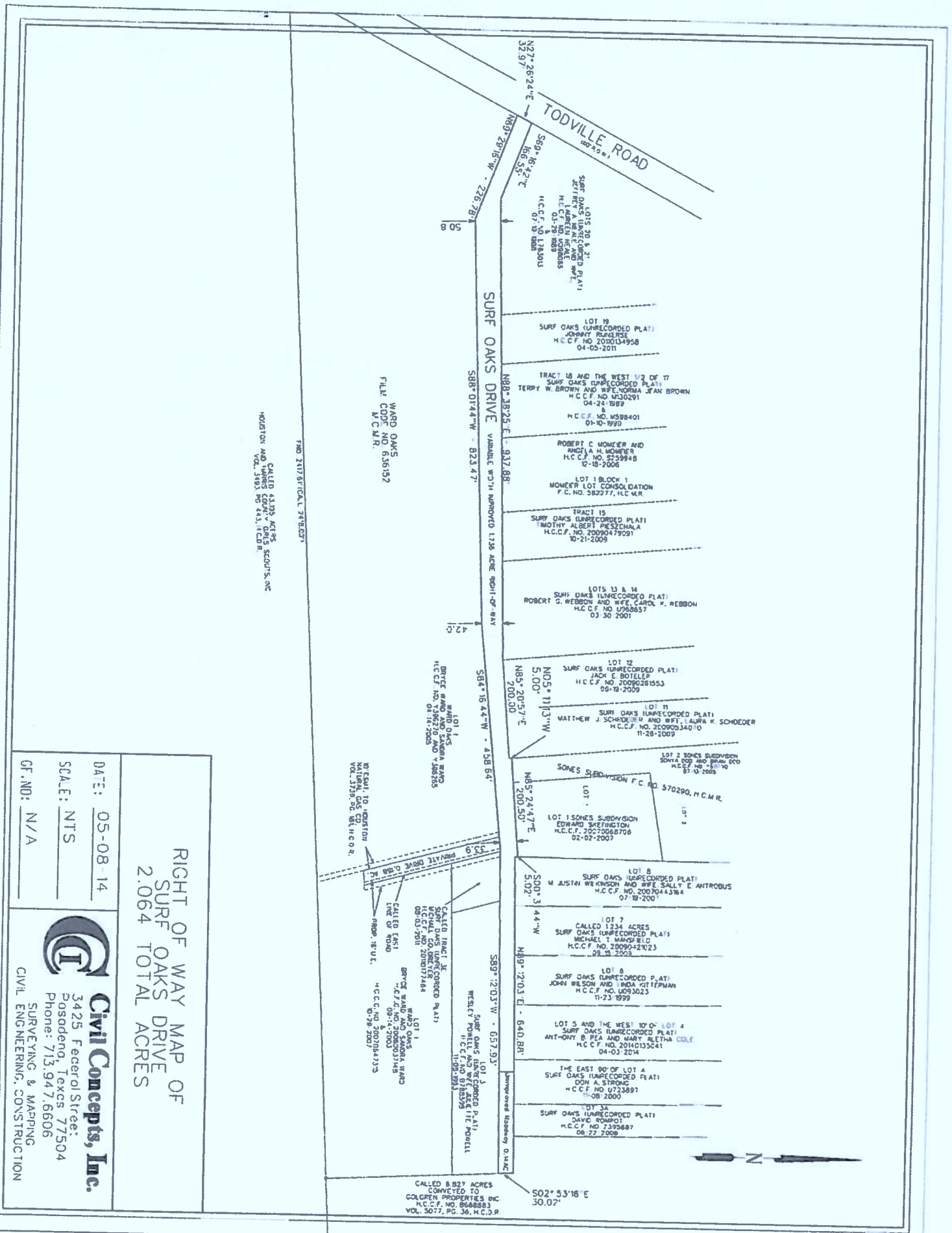


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 18

Exhibit 13

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 19 day of June, 2014, by and between Karen M. Tisdell, whose mailing address is 510 Surf Oaks Dr., Seabrook, Texas 77586, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,350 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as The East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said East 90 foot of Lot 4 being described in deed recorded in Harris County Clerk's File Number U723897,

and said 1,350 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 19 day of June, 2014.

Date: June 19, 2014

GRANTOR(S)

By: Karen M. Tisdel
Grantor/Owner
Karen M. Tisdel

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

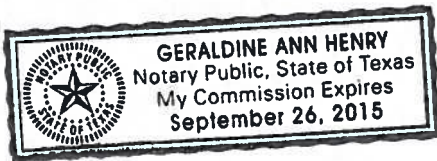
ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Karen M. Tisdell, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 19th day of June, 2014.

[SEAL]



Geraldine Ann Henry
Notary Public, State of Texas

My commission expires: 09/26/15

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

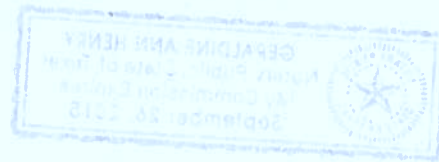


EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
The East 90 foot of Lot 4 Surf Oaks Drive

A tract of land containing 1,350 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as The East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said East 90 foot of Lot 4 being described in deed recorded in Harris County Clerk's File Number U723897, and said 1,350 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at the southwest corner of said called East 90 foot of Lot 4 same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481 and being in the north line of the said existing Surf Oaks Drive;

Thence North 89 deg. 12 min. 03 sec. East along the common south line of said East 90 foot of Lot 4 with the north line of Surf Oaks Drive for a distance of 90.00 feet to the southeast corner of said East 90 foot of Lot 4 same being the southwest corner of Lot 3A as described in deed recorded in Harris County Clerk's File Number Z395887;

Thence South 00 deg. 47 min. 53 sec. East crossing a portion of said Surf Oaks Drive for a distance of 15.00 feet to a point for corner in the centerline of said Surf Oaks Drive;

Thence South 89 deg.12 min. 03 sec. West along the centerline of said Surf Oaks Drive for a distance of 90.00 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 15.00 feet to the place of beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

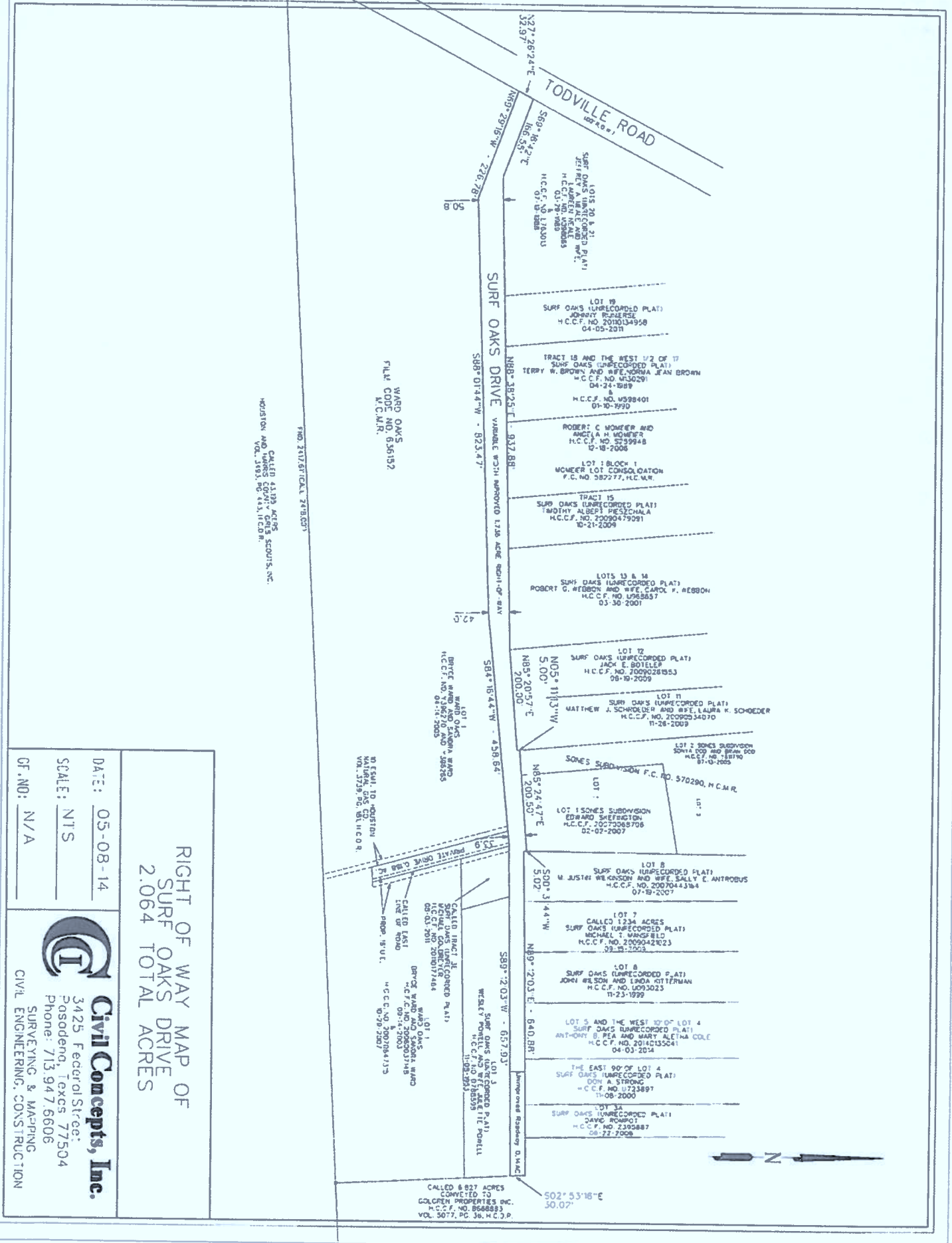


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 19

Exhibit 13

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS

§

COUNTY OF HARRIS

§

That this Permanent Easement Grant and Dedication is made and entered into this 17th day of June, 2014, by and between Michael Goldreyer, whose mailing address is 2807 Forest Point Dr., League City, Texas 77573-5753, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 1,500 sq. ft. being the existing driveway right of way adjacent to and north of a tract known as the east 100 foot of Lot 3 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said east 100 foot of Lot 3 being described in deed recorded in Harris County Clerk's file number 20110177464,

and said 1,500 sq. ft. existing driveway right of way being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Additionally, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual utility easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

- A tract of land containing 1,599 sq. ft. being out of a tract described in deed recorded in Harris County Clerk's File Number 20110177464 being the west 100 foot of Lot 3 Surf Oaks unrecorded subdivision and being a portion of the private drive known as Surf Oaks Drive all being in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas,

and said 1,599 sq. ft. existing driveway right of way being more particularly described in Exhibit "A1" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Utility Easement").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

- This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and

Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

- Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

- This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that

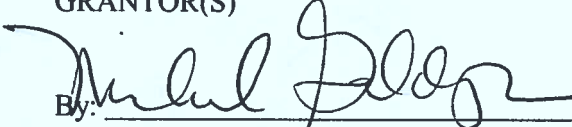
such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 17th day of June, 2014.

Date: June 17, 2014

GRANTOR(S)

By: 

Grantor/Owner
Michael Goldreyer

Accepted and agreed by the City of Seabrook, Texas, on this the 17th day of June, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

• ATTEST:

Michele Glaser, TMRC
City Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Michael Goldreyer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 17th day of June, 2014.



Renee Bickerstaff
Notary Public, State of Texas

My commission expires: 9-9-17

After recording return to:

City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

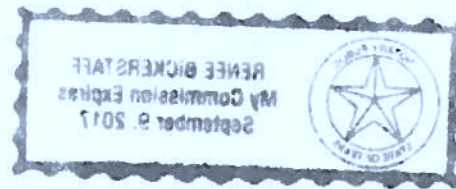


EXHIBIT "A"
METES AND BOUNDS

Surf Oaks Drive
Right of Way Easement Description
West 100 feet of Lot 3 Surf Oaks Drive

A tract of land containing 1,500 sq. ft. being the existing driveway right of way adjacent to and north of a tract known as the east 100 foot of Lot 3 Surf Oaks unrecorded subdivision, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said east 100 foot of Lot 3 being described in deed recorded in Harris County Clerk's file number 20110177464, and said 81,500 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a the northwest corner of said Lot 3, in the south line of Surf Oaks Drive;

Thence North 00 deg. 47 min. 57 sec. West crossing said Surf Oaks Drive for a distance of 15.00 feet to a point in the centerline of said Surf Oaks Drive;

Thence North 89 deg. 12 min. 03 sec. East along the centerline of said Surf Oaks Drive for a distance of 100.00 feet to a point for corner;

Thence South 00 deg. 47 min. 57 sec. East crossing a portion of said Surf Oaks Drive for a distance of 15.00 feet to the northwest corner of a Lot 3 remainder tract described in deed recorded in Harris County Clerk's File Number B788598;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 100.00 feet to the Place of Beginning.

EXHIBIT "A1"
METES AND BOUNDS

16 foot wide Utility Easement
West 100 feet of Lot 3 Surf Oaks

A tract of land containing 1,599 sq. ft. being out of a tract described in deed recorded in Harris County Clerk's File Number 20110177464 being the west 100 foot of Lot 3 Surf Oaks unrecorded subdivision and being a portion of the private drive known as Surf Oaks Drive all being in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, and said 1,599 sq. ft. being more particularly described by metes and bounds as follows;

Beginning, at a the southwest corner of said Lot 3, in the east line of Surf Oaks Drive and being the interior northwest corner of Lot 1 Ward Oaks as per map or plat recorded in Film Code No. 636152 of the Map Records of Harris County, Texas;

Thence, South 88 deg. 46 min. 44 sec. West over and across said Surf Oaks Drive a distance of 6.34 feet to a point for corner;

Thence, North 15 deg. 13 min. 16 sec. West continuing over and across said Surf Oaks Drive a distance of 100.02 feet to a point for corner;

Thence, North 89 deg. 12 min. 03 sec. East crossing a portion of said Surf Oaks Drive and continuing along the north line of said Lot 3 same being the south line of said Surf Oaks Drive a distance of 16.52 feet to a point for corner;

Thence, South 15 deg. 13 min. 16 sec. East over and across said Lot 3 a distance of 99.89 feet to point for corner in the south line of said Lot 3 and the north line of said Lot 1 Ward Oaks;

Thence, South 88 degrees 46 minutes 44 seconds West, along the south line of said Lot 3 and the north line of said Lot 1 a distance of 10.15 feet to the Place of Beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

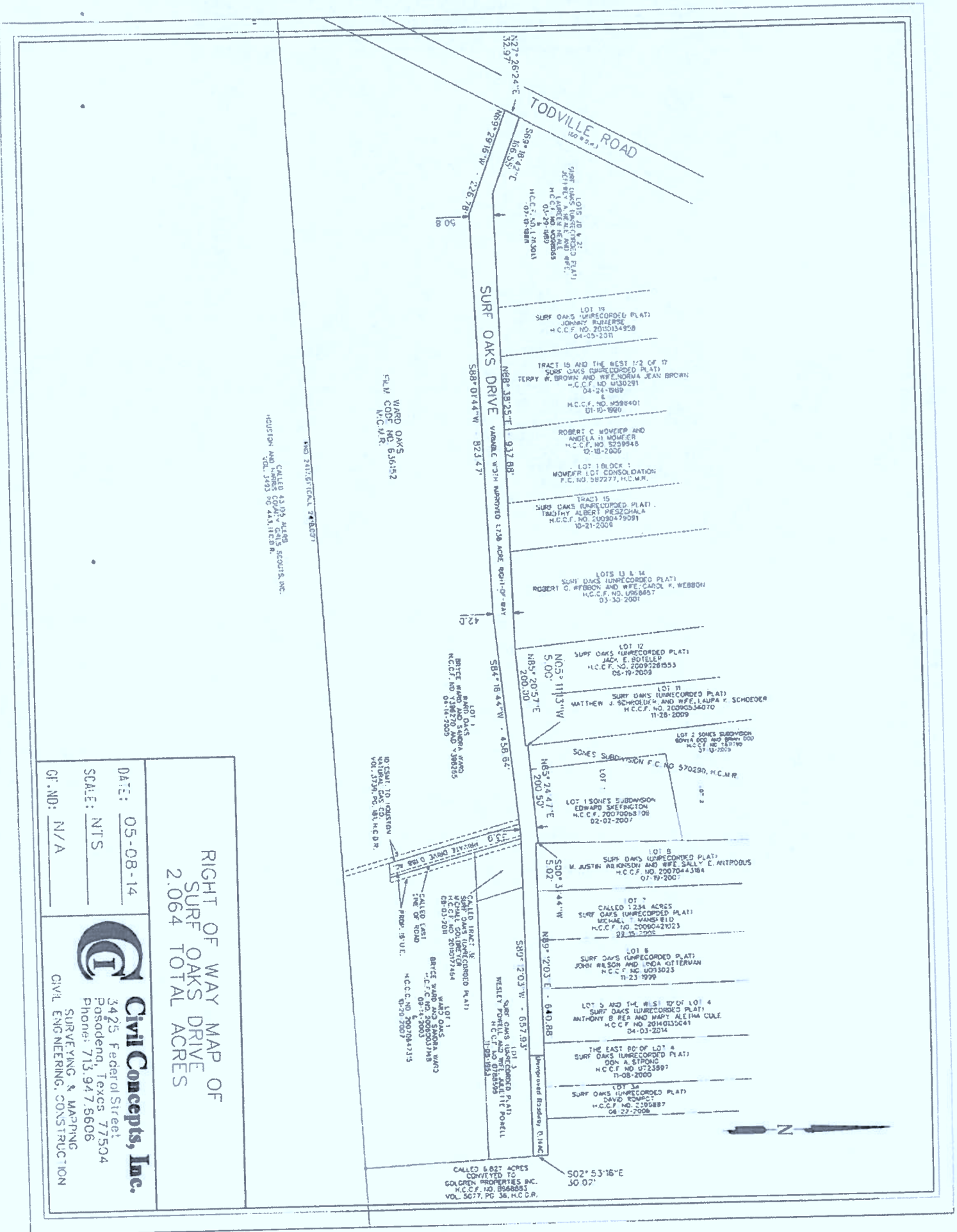


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot 3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min. 53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.

Exhibit 20

05 fidinix

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or driver's license number.

PERMANENT EASEMENT GRANT AND DEDICATION

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

That this Permanent Easement Grant and Dedication is made and entered into this 16 day of June, 2014, by and between Bryce Ward and Sandra Ward, whose mailing address is 4900 S. Surf Oaks Dr., Seabrook, Texas 77586-1824, hereinafter called the Grantor(s), and the CITY OF SEABROOK, TEXAS, a home rule municipal corporation of the State of Texas located in Harris County, Texas, whose mailing address is 1700 First Street, Seabrook, Texas 77586, is hereinafter referred to as "Grantee" or "City".

That Grantor(s), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, including the maintenance of a public road as herein set out, the receipt and sufficiency of which is hereby confessed and acknowledged, and for which no lien is retained, either expressly or implied, Grantor(s) by these presents does grant, bargain, sell and convey to Grantee, the City of Seabrook, its successors, assigns and legal representatives, a perpetual utility easement for the purpose of establishing, designating, and maintaining a public right of way, including the right of ingress, egress, and regress therein, to reconstruct, install, maintain, operate, inspect, fill, and repair, as well as to use the surface and subsurface thereof in any lawful manner or any other public purpose authorized by Local Government Code § 273.001 ("Easement") and deemed necessary by Grantee including all rights over, under, across, upon, along and through the property more specifically identified as follows:

A tract of land containing 2,903 sq. ft. being the out of the of Lot 1 Ward Oaks recorded in Film Code No. 636152 of the Map Records of Harris County, Texas and being out of Surf Oaks Drive, being a private drive as shown on the plat of Ward Oaks, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas,

being more particularly described in Exhibit "A" attached hereto and incorporated by reference for all purposes, (hereinafter referred to as the "Property").

Grantee may do and perform all acts necessary to establish, designate, maintain, reconstruct, repair, or relocate, the public road within said Property and to operate thereon all necessary machinery and equipment to efficiently prosecute the work. Grantee shall not assign this Easement except to a successor governmental agency. Grantee shall be responsible for obtaining any and all necessary consents, approvals, and permits. Grantor(s) retains, reserves, and shall continue to enjoy the use of the surface of the Easement Property for any and all purposes which do not interfere with or prevent the public use by Grantee of the Easement for the purposes stated herein.

This Easement is to confirm a public right of way for the necessary establishment, designation, and maintenance for Surf Oaks Drive/Road, more specifically depicted and identified in Exhibit "B" attached hereto and incorporated by reference, (hereinafter referred to as the "Road"), it being specifically understood that the City may not expend funds for maintenance of a private road, and Grantor(s) hereby represent, stipulate and acknowledge for purposes of reliance by the City and Harris County for the expenditure of public funds for such improvement/maintenance, that such Road has been uninterruptedly utilized for the public generally, and the residents along it, for access, ingress, and egress for more than 30 years, and Grantor(s) desire to convey all of their right, title, and interest, including any related rights by implied, express, or prescriptive easements, strip and gore, and/or chose in action to maintain public use of the Road and the Property for this Easement. Grantee relies upon all representations and statements made herein by Grantor(s).

Nothing herein shall require the City/County to expand, pave, curb, or gutter the Road now being conveyed in accordance with city standards, nor shall the City/County be required to expand, pave, curb, gutter or maintain the Unimproved and Unmaintained Portion including Lot East 90 foot of Lot 4 Surf Oaks Drive, Lot 3A Surf Oaks Drive/Road, 6.827 Acre Surf Oaks Drive Tract, and Lot 3 Surf Oaks Drive/Road, as more particularly described in Exhibit "C", however such Unimproved and Unmaintained Portion shall otherwise remain subject to this Easement. Nothing herein shall permit Grantor(s) to excavate on the Property or construct or install any structures, culverts, pipes or other improvements in the Easement/Road hereby conveyed to Grantee without the express written and binding consent of City. Nothing herein shall restrict, excuse, dilute or weaken the uninterrupted, open and notorious adverse possession use and claim of the City to a prescriptive easement over, along, or across the Road, as

constructed and utilized for over 30 years or longer, which is assigned to City. This Easement is intended to confirm, strengthen, support and expand, not diminish the prescriptive easement of the City.

This conveyance is expressly made subject to any and all mineral and/or royalty reservations appearing of record relative to the Easement, but only to the extent that the same are still in force and effect and enforceable against the same. The Easement, along with all rights and privileges relating thereto shall terminate when the Easement, as described above, is abandoned by adoption of an Ordinance abandoning or vacating such by Grantee. It is stipulated and understood that the Grantee has no authority to expend public funds for the maintenance of the Easement until initial improvements have been completed by Harris County.

TO HAVE AND TO HOLD the above described Easement for the purposes set forth, unto Grantee, its successors and assigns; and Grantor(s) hereby binds itself, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor(s), but no further, limited, however, to the terms and provisions hereof, and subject to all matters of record in Harris County, Texas, to the extent that such matters are presently valid and enforceable against the Property encompassed by this Easement.

This Agreement contains the entire agreement between the parties relating to the subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.

IN WITNESS WHEREOF, Grantor(s) has caused this instrument to be executed on this 16th day of June, 2014.

Date: 16th, June, 2014

GRANTOR(S)

By: 

Grantor/Owner
Bryce Ward

Date: 16, June, 2014

By: 
Grantor/Owner
Sandra Ward

Accepted and agreed by the City of Seabrook, Texas, on this the ____ day of _____, 2014.

GRANTEE

CITY OF SEABROOK, TEXAS

By: _____
GLENN ROYAL, Mayor

ATTEST:

Michele Glaser, TMRC
City Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Bryce Ward, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.

[SEAL]



Renee Sanford
Notary Public, State of Texas

My commission expires: September 16, 2017

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Sandra Ward, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she is the owner of the subject property and duly authorized and executed the same for the purposes and consideration therein expressed and in the capacity therein stated for and on behalf of Grantor.

Given under my hand and seal of office, this the 16th day of June, 2014.

[SEAL]



Renee Sanford
Notary Public, State of Texas

My commission expires: September 16, 2017

After recording return to:
City of Seabrook
Attn: City Secretary
1700 First Street
Seabrook, Texas 77586

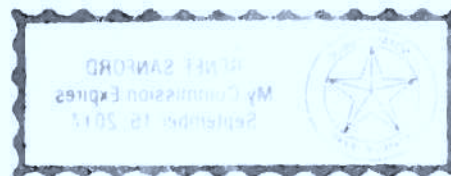
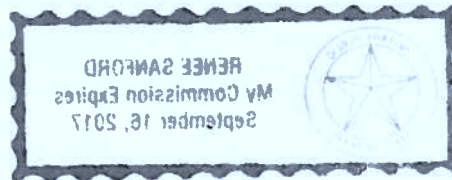


EXHIBIT "A"
METES AND BOUNDS

16 foot wide Utility Easement
Lot 1 Ward Oaks

A tract of land containing 2,903 sq. ft. being the out of the of Lot 1 Ward Oaks recorded in Film Code No. 636152 of the Map Records of Harris County, Texas and being out of Surf Oaks Drive, being a private drive as shown on the plat of Ward Oaks, located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, being more particularly described by metes and bounds as follows;

Beginning, at a the southwest corner of a tract described in deed recorded in Harris County Clerk's File Number 20110177464, called the east 100 feet of Lot 3 Surf Oaks Subdivision as per unrecorded plat, also being in the east line of a private drive known as Surf Oaks Drive and being an interior northwest corner of Lot 1 Ward Oaks;

Thence, North 88 deg. 46 min. 44 sec. East along the north line of said Lot 1 Ward Oaks and the south line of Lot 3 Surf Oaks for a distance of 10.15 feet to a point for corner;

Thence, South 15 deg. 13 min. 16 sec. East over and across said Lot 1 a distance of 181.30 feet to a point for corner;

Thence, South 87 deg. 41 min. 44 sec. West over and across said Lot 1 the continuing along the south line of said Surf Oaks Drive and the interior north line of said Lot 1 a distance of 16.42 feet to a point for corner;

Thence, North 15 deg. 13 min. 16 sec. West over and across Surf Oaks Drive a distance of 181.62 feet to point for corner;

Thence, North 88 degrees 46 minutes 44 seconds East, continuing over and across said Surf Oaks Drive a distance of 6.34 feet to the Place of Beginning.

EXHIBIT "B"
SURF OAKS ROAD
Survey Map

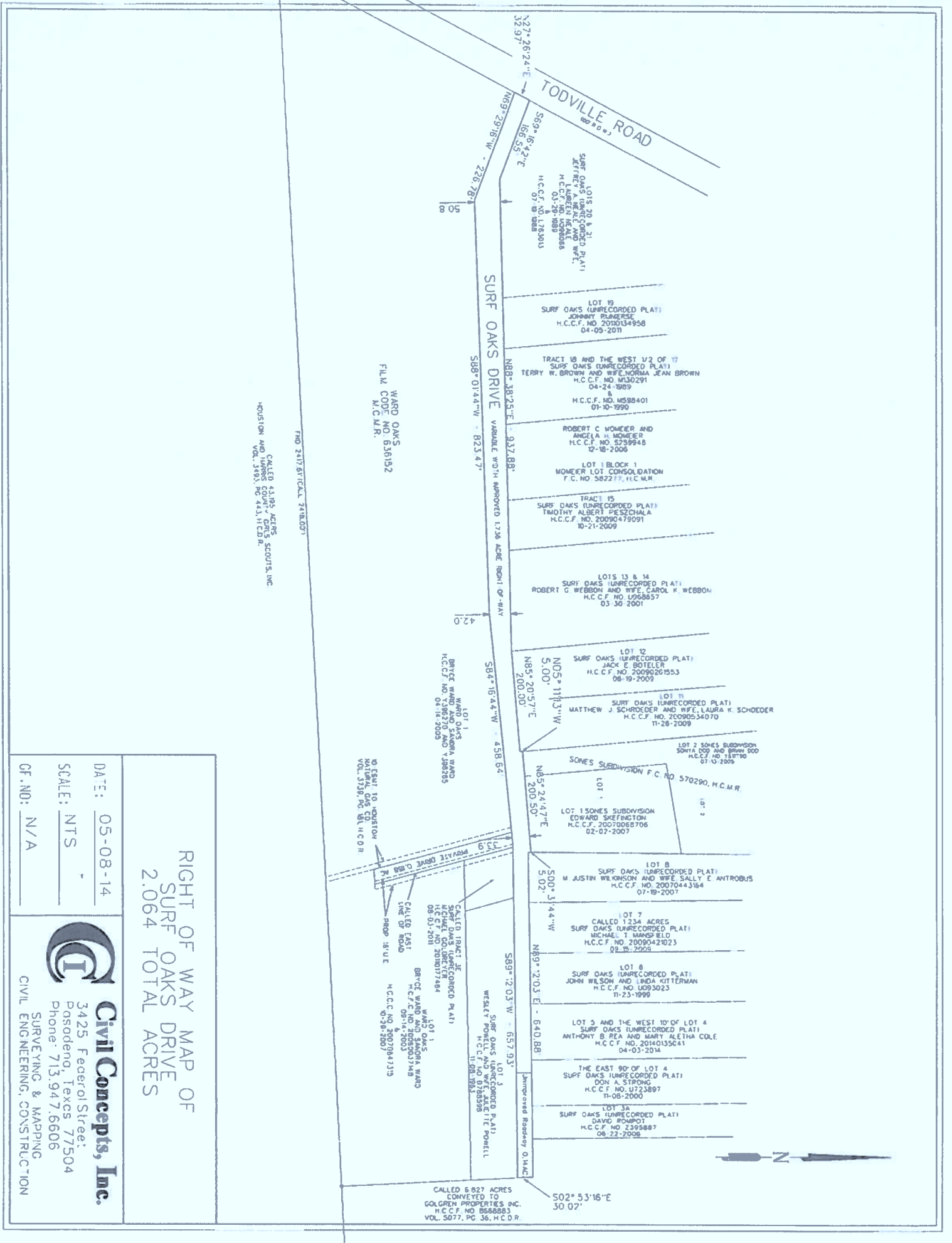


EXHIBIT "C"
SURF OAKS ROAD/DRIVE
Right of Way Easement Description
Unimproved and Unmaintained Portion
East 90 foot of Lot 4 Surf Oaks Drive
Lot 3A Surf Oaks Drive
6.827 Acre Surf Oaks Drive Tract
Lot 3 Surf Oaks Drive

A tract of land containing 6,188 sq. ft. being the existing driveway right of way adjacent to and south of a tract known as the East 90 foot of Lot 4 Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number U723897, Lot3A Surf Oaks unrecorded subdivision, being described in deed recorded in Harris County Clerk's File Number Z395887, adjacent to and south of a tract known as called 6.827 acre tract as per deed recorded in Volume 5077, Page 36, of the Deed Records of Harris County, and adjacent to and north of a portion of a tract known as Lot 3 Surf Oaks unrecorded subdivision being described in deed recorded in Harris County Clerk's file number B788598, all being located in the Ritson, Morris Survey, Abstract Number 52, Seabrook, Harris County, Texas, said 7,102 sq. ft. existing driveway right of way being more particularly described by metes and bounds as follows;

Beginning at a point in the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4 and being North 89 deg. 12 min. 03 sec. East along the common north line of Surf Oaks Drive with the south line of the East 90 foot of Lot 4 a distance of 25.00 feet from the southwest corner of said East 90 foot of Lot 4, same being the most southeast corner of called Lot 5 and the east 10 foot of Lot 4 as per deed recorded in Harris County Clerks File Number J876481;

Thence North 89 deg. 12 min. 03 sec. East along the north line of said Surf Oaks Drive same being the south line of said East 90 foot of Lot 4, Lot 3A and the southerly line of a said 6.827 acre tract, for a total distance of 205.53 feet to the southwesterly line of said 6.827 acre tract;

Thence South 02 deg. 53 min. 16 sec. East with the southwesterly line of said 6.827 acre tract same being the east line of Surf Oaks Drive for a distance of 30.02 feet to the northeast corner of said Lot 3;

Thence South 89 deg. 12 min. 03 sec. West along the north line of said Lot 3 same being the south line of said Surf Oaks Drive for a distance of 207.05 feet to a point for corner;

Thence North 00 deg. 47 min.53 sec. West crossing said Surf Oaks right of way for a distance 30.00 feet to the place of beginning.



CITY *OF* SEABROOK

AGENDA BRIEFING

Date of Meeting: 07-1-2014

Submitter/Requestor: City of Seabrook

Date Submitted: 06-26-2014

Presenter: Sean Landis

Description/Subject:

A request to rezone a 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 15A, 16, 17A, 18E, Ruggles West Subdivision from the current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).

A Public Hearing was held before the Planning and Zoning Commission on May 15, 2014.

Applicant:

Pacific Ridge Development LLC, 211 E. Carrillo St. #204, Santa Barbara, CA 93101

Legal Description:

A 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 15A, 16, 17A, 18E, Ruggles West Subdivision.

This property is located immediately east of Lakeside Drive, south of Oak Dale Way and north of the Repsdorph Traffic Circle.

Request:

Request to change the zoning classification of land from the current classification of R-1 (Residential – Single Family Detached) to C-2 (Commercial Medium).

Purpose/Need: Policy Issue ☒ Administrative Issue ☐

The applicant wishes to rezone the aforementioned property to allow for the development of a master planned retail commercial center to be named “Seabrook Town Center”. The development will be designed to include an anchor store, adjacent lease spaces and individual perimeter pad sites.

Agenda Briefing Form
Page 2

The proposed change to the zoning map was recommended for denial by the Planning & Zoning Commission by a 4-0-1 vote at the regular meetings held on May 15, 2014.

Ayes: Miller, Caradec, Dehart and Sharpe.

Nays: None

Abstained: Potts

Absent: Hammann and Lewis

Background/Issue (What prompted this need?):

Impacted Parties (Expected/Notified):

Recommended Action:

The proposed change to the zoning map was recommended for denial by the Planning & Zoning Commission by a 4-0-1 vote at the regular meetings held on May 15, 2014.

Ayes: Miller, Caradec, Dehart and Sharpe.

Nays: None

Abstained: Potts

Absent: Hammann and Lewis

Attachments:

(Please list description of attachments and number of pages in each attachment)

Planning & Zoning Commission Draft Minutes of the May 15, 2014 Meeting

Planning and Zoning Commission Official Report from the May 15, 2014 Meeting

Fiscal Impact:	Budgeted	☐ Yes	☐ No	Finance Officer Review:
	Budget Amendment Required	☐ Yes	☐ No	
	Future/Ongoing Impact	☐ Yes	☐ No	

Budget Dept/Line Item Number N/A

Funding Comments:

N/A

Where on the agenda should this item be placed?

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

New Business

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Agenda Briefing Form
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Suggested Motion:

The proposed change to the zoning map was recommended for denial by the Planning & Zoning Commission by a 4-0-1 vote at the regular meetings held on May 15, 2014.

Ayes: Miller, Caradec, Dehart and Sharpe.

Nays: None

Abstained: Potts

Absent: Hammann and Lewis

City Manager Review:

- ☐ Approved as submitted
- ☐ Submitted for Council consideration without comment
- ☐ Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____

Returned by the City Secretary/Assistant (If incomplete) _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

ORDINANCE NO. 2014-17

**REZONE A 12.1341 ACRE TRACT LOCATED IN THE
REPSDORH ROAD/LAKESIDE DRIVE AREA FROM R-1 TO C-2**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK, WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING A 12.1341 ACRE TRACT OF LAND SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF LOTS 15A, 16, 17A, 18E, RUGGLES WEST SUBDIVISION, MORE SPECIFICALLY DESCRIBED IN EXHIBIT A, ATTACHED HERETO, FROM R-1 (RESIDENTIAL-SINGLE FAMILY DETACHED) TO A C-2 (COMMERCIAL MEDIUM) DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the applicant, Pacific Ridge Development Company, LLC, a California limited liability company, ("Applicant") has applied for a zoning change for a 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas, being out of and a part of Lots 15a, 16, 17a, 18e, Ruggles West Subdivision, ("Tract"), from R-1 (Residential-Single Family Detached) to a C-2 (Commercial Medium) district located in the Repsdorph Road/Lakeside Drive area, more specifically identified in Exhibit A, attached hereto and incorporated by reference; and

WHEREAS, all public notices have been published, mailed and provided in accordance with statute and the City Code of Ordinances, Appendix A of the City Code of Ordinances (Zoning Code); and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted public hearings on such request, in the time and manner required by law and the Zoning Code of the City; and

WHEREAS, the Planning and Zoning Commission recommended denial of Applicant's requested zoning change at its meeting of May 15, 2014, and has made its final report; and

WHEREAS, thereafter the Applicant considered the input from the Planning and Zoning Commission and public as the result of the subject public hearing; and

Ordinance No. 2014-17

Page 2

46 **WHEREAS**, the Applicant has prepared a Development Agreement for
47 consideration by City Council to address the subject concerns; and
48

49 **WHEREAS**, the Tract is currently zoned R-1, but according to the City
50 Comprehensive Master Plat 2030 is appropriate for commercial redevelopment under
51 certain circumstances; and
52

53 **WHEREAS**, the City has previously identified the Repsdorph Road/Lakeside
54 Drive intersection for future mixed use development, and expended significant funds for
55 public infrastructure, including a traffic circle and related improvements in the area made
56 the basis of the requested rezoning;; and
57

58 **WHEREAS**, the City Council has carefully reviewed the report of the Planning
59 and Zoning Commission, the minutes of such hearing, and the issues raised by certain
60 residents in addressing the requested rezoning; and
61

62 **WHEREAS**, the City Council notes that it established a Neighborhood
63 Empowerment Zone #2, by Resolution 2013-10, adopted on May 7, 2013, which
64 encompasses part of the Tract, pursuant to Texas Local Government Code Chapter 378
65 and has evaluated whether City incentives, if any, should be authorized for the subject
66 development, to address concerns associated with the proposed development of the Tract,
67 as provided in a Development Agreement, which if approved shall be addressed by
68 separate Resolution;
69

70 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE**
71 **CITY OF SEABROOK, STATE OF TEXAS:**
72

73 **SECTION 1. FINDINGS.**
74

75 The facts and matters set forth in the preamble of this Ordinance are hereby found
76 to be true and correct.
77

78 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO**
79 **THE OFFICIAL ZONING MAP.**
80

81 The Seabrook City Code of Ordinances, Appendix A, "Comprehensive Zoning",
82 Article 2, "Administration", Section 2.05, "Official Zoning Map" is hereby amended by
83 rezoning the 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52,
84 Harris County, Texas, being out of and a part of Lots 15a, 16, 17a, 18e, Ruggles West
85 Subdivision from R-1 (Residential-Single Family Detached) to C-2 (Commercial
86 Medium) District.
87

88 The 12.1341 acre Tract to be rezoned is shown by a metes and bounds description
89 attached hereto as Exhibit A, incorporated herein by reference.
90

Upon passage of this Ordinance, the official zoning map of the City of Seabrook shall be amended to reflect this change.

SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this Ordinance is subject to the penalty section of said Code including, Section 11.06, "Criminal Enforcement" which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 5. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. NOTICE

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 1st day of July, 2014.

PASSED, APPROVED, AND ADOPTED on second and final reading this 15th day of July, 2014.

By: _____
Glenn Royal
Mayor

ATTEST:

Ordinance No. 2014-17
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137 By: _____
138 Michele L. Glaser, TRMC
139 City Secretary
140

141 APPROVED AS TO FORM:
142
143
144

145 _____
146 Steven L. Weathered
147 City Attorney

EXHIBIT A
Description of the Land

Legal Description of 12.1341 Acre Tract

A 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 15, 16, 17 and 18 of Ruggles Subdivision as recorded in Volume 5 at Page 30 of the Map Records of Harris County, Texas. Said tract also being out of and a part of the residue of that certain 40.92 acre tract of land conveyed by Theodore Dee McCollom, Jr. to Seabrook Venture II by Correction Deed dated March 1, 2000 and recorded under County Clerk's File No. U265748 of the Official Public Records of Real Property of Harris County, Texas. This 12.1341 acres is more particularly described by the following metes and bounds, to-wit:

NOTE: BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83. ALL DISTANCES ARE ACTUAL DISTANCES. SCALE FACTOR = 0.9998758. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

COMMENCING at a 1/2 inch iron rod, with cap (BHA), set in the West right-of-way line of the Southern Pacific Railroad (also known as the T. & N. O. Railroad; 100 feet wide right-of-way) for the Southeast corner of said Lot 18, the Northeast corner of that certain 2.245 acres conveyed by Albert S. Farquhar, et ux, to Houston Lighting & Power Company by Deed dated October 23, 1962 and recorded under County Clerk's File No. B589710 of the Deed Records of Harris County, Texas and the Northeast corner of Lot 9 of the Savings & Loan Company Subdivision as recorded in Volume 3 at Page 71 of the Map Records of Harris County, Texas. Said point being the Southeast corner of that certain 1.716 acres conveyed by Red Bluff Development Company to City of Seabrook by Deed dated August 2, 1972 and recorded under County Clerk's File No. D695743 of the Deed Records of Harris County, Texas and the Southeast corner of that certain 3.4196 acres surveyed this date and has a State Plane Coordinate Value of Y=13,779,255.94 and X=3,230,501.19.

THENCE: South 86°53'32" West along the South line of said 3.4196 acre tract, the South line of said Lots 18 and 17, the South line of said 1.716 acres, the South line of that certain 0.6887 of an acre conveyed by Red Bluff Development Company to City of Seabrook by Deed dated April 19, 1966 and recorded under County Clerk's File No. C401938 of the Deed Records of Harris County, Texas, the South line of that certain 1.000 acre tract of land conveyed by Red Bluff Development Company to City of Seabrook by Deed dated December 9, 1967 and recorded under County Clerk's File No. C828387 of the Deed Records of Harris County, Texas, the North line of said 2.245 acres, the North line of said Lot 9 and the North line of that certain called 9.00 acres conveyed by Texas Eastern Transmission Corporation to Texas Eastern Products Pipeline Company by Deed dated March 24, 1988 and recorded under County Clerk's File No. M537657 of the Official Public Records of Real Property of Harris County, Texas, for a distance of 513.02 feet to a 5/8 inch iron rod found for the Southwest corner of said

3.4196 acres, the Southwest corner of said 1.000 acre, the Southernmost Southeast corner of said 40.92 acres and the Southernmost Southeast corner and POINT OF BEGINNING of this tract. Said point has a State Plane Coordinate Value of Y=13,746,228.13 and X=3,229,988.98; from which a 3/4 inch iron rod (found) bears South 85°11'14" East 1.74 feet.

THENCE: Continue South 86°53'32" West along the Southernmost South line of this tract, the South line of said Lots 17, 16 and 15, the Southernmost South line of said 40.92 acres, the North line of said Lot 9, the North line of said called 9.00 acres, the North line of Lot 8 of said Savings & Loan Company Subdivision, the North line of that certain 6.6960 acres (Tract II) conveyed by JSK 2000 Family Partnership, Ltd., to Repsdorph Road, L.P. by Deed dated June 23, 2006 and recorded under County Clerk's File No. Z410139 of the Official Public Records of Real Property of Harris County, Texas and the North line of that certain 4.4742 acres conveyed by JSK 2000 Family Partnership, Ltd., to City of Seabrook, Texas by Deed dated March 2, 2006 and recorded under County Clerk's File No. Z173390 of the Official Public Records of Real Property of Harris County, Texas, for a distance of 689.30 feet to a 1/2 inch iron rod, with cap (BHA), set for the Southwest corner of this tract and the Southeast corner of that certain 1.0499 acres (Lakeside Drive Extension - 80 feet wide) described in Dedication Agreement between City of Seabrook, Texas and Seabrook Venture II dated October 21, 2010 and recorded under County Clerk's File No. 20100467859 of the Official Public Records of Real Property of Harris County, Texas. Said point being in a curve to the left, concave Westerly.

THENCE: Along and around said curve to the left, in a Northerly direction, along the West line of this tract and the East line of said 1.0499 acres, said curve having a radius of 2040.00, a central angle of 01°21'44" and a chord bearing and distance of North 05°29'45" West 48.50 feet, for an arc length of 48.50 feet to a 1/2 inch iron rod, with cap (BHA), set for the TERMINATION POINT of said curve and the BEGINNING POINT of another curve to the right, concave Easterly.

THENCE: Along and around said curve to the right, in a Northerly direction, along the West line of this tract and the East line of said 1.0499 acres, said curve having a radius of 560.00 feet, a central angle of 12°56'48" and a chord bearing and distance of North 00°17'47" East 126.27 feet, for an arc length of 126.54 feet to a 1/2 inch iron rod, with cap (BHA), set for the TERMINATION POINT of said curve.

THENCE: North 06°46'11" East along the West line of this tract and the East line of said 1.0499 acres for a distance of 103.73 feet to a 1/2 inch iron rod, with cap (BHA), set for the BEGINNING POINT of a curve to the left, concave Westerly.



CITY OF *SEABROOK*

AGENDA BRIEFING

Date of Meeting: 07-1-2014

Submitter/Requestor: City of Seabrook

Date Submitted: 06-26-2014

Presenter: Sean Landis

Description/Subject:

A request to rezone a 20.3014 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas, Savings and Loan Company Subdivision, consisting of 7.5973 acres being out of and a part of Lots 7A and 7B, from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium). This property is located immediately west of the Repsdorph Traffic Circle, and is adjacent to the Seabrook city limits; 6.6960 acres being out of and a part of Lot 8, this property is located immediately east of the Repsdorph Traffic Circle, and north of Repsdorph Road; and 6.0081 acres being out of and a part of Lots 7A-1, 7B-1, and 8B, this property is located immediately south of the Repsdorph Traffic Circle, and north of Vermillion Road.

A Public Hearing was held before the Planning and Zoning Commission on May 15, 2014.

Applicant:

Starship Dixie, LP, PO Box 473, Seabrook, TX 77586.

Legal Description:

A 20.3014 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas, Savings and Loan Company Subdivision, consisting of 7.5973 acres being out of and a part of Lots 7A and 7B, this property is located immediately west of the Repsdorph Traffic Circle, and is adjacent to the Seabrook city limits; 6.6960 acres being out of and a part of Lot 8, this property is located immediately east of the Repsdorph Traffic Circle, and north of Repsdorph Road; and 6.0081 acres being out of and a part of Lots 7A-1, 7B-1, and 8B, this property is located immediately south of the Repsdorph Traffic Circle, and north of Vermillion Road.

Request:

To change the zoning classification of land from the current classification of C-1 (Commercial Light) to C-2 (Commercial Medium).

Agenda Briefing Form
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Purpose/Need: Policy Issue ☒ Administrative Issue ☐

The applicant wishes to rezone the aforementioned property to allow for the development of a master planned retail commercial center to be named "Seabrook Town Center". The development will be designed to include an anchor store, adjacent lease spaces and individual perimeter pad sites.

The proposed change to the zoning map was recommended for denial by the Planning & Zoning Commission by a 4-0-1 vote at the regular meetings held on May 15, 2014.

Ayes: Miller, Caradec, Dehart and Sharpe.

Nays: None

Abstained: Potts

Absent: Hammann and Lewis

Background/Issue (What prompted this need?):

Impacted Parties (Expected/Notified):

Recommended Action:

The proposed change to the zoning map was recommended for denial by the Planning & Zoning Commission by a 4-0-1 vote at the regular meetings held on May 15, 2014.

Ayes: Miller, Caradec, Dehart and Sharpe.

Nays: None

Abstained: Potts

Absent: Hammann and Lewis

Attachments:

(Please list description of attachments and number of pages in each attachment)

Planning & Zoning Commission Draft Minutes of the May 15, 2014 Meeting

Planning and Zoning Commission Official Report from the May 15, 2014 Meeting

Fiscal Impact:	Budgeted	___ Yes ___ No	Finance Officer Review:
	Budget Amendment Required	___ Yes ___ No	
	Future/Ongoing Impact	___ Yes ___ No	

Budget Dept/Line Item Number N/A

Funding Comments:

N/A

Where on the agenda should this item be placed?

(i.e. Public Hearing, New Business, Old Business, Consent Agenda, Executive Session, etc.)

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Agenda Briefing Form
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New Business

Suggested Motion:

The proposed change to the zoning map was recommended for denial by the Planning & Zoning Commission by a 4-0-1 vote at the regular meetings held on May 15, 2014.

Ayes: Miller, Caradec, Dehart and Sharpe.

Nays: None

Abstained: Potts

Absent: Hammann and Lewis

City Manager Review:

- ☐ Approved as submitted
- ☐ Submitted for Council consideration without comment
- ☐ Submitted for Council consideration with comments stated below:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances.)

Sent to City Attorney for review _____

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

Received and accepted by the City Secretary/Assistant _____

Returned by the City Secretary/Assistant (If incomplete) _____

All requests must be submitted to the City Secretary's Office no later than 5:00 p.m. on the Wednesday preceding the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

ORDINANCE NO. 2014-16
REZONE A 20.3014 ACRE TRACT NEAR REPSDORPH
TRAFFIC CIRCLE FROM C-1 TO C-2

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK, WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING A 20.3014 ACRE TRACT SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, SAVINGS AND LOAN COMPANY SUBDIVISION, CONSISTING OF 7.5973 ACRES BEING OUT OF AND A PART OF LOTS 7A AND 7B, THIS PROPERTY IS LOCATED IMMEDIATELY WEST OF THE REPSDORPH TRAFFIC CIRCLE AND IS ADJACENT TO THE SEABROOK CITY LIMITS, 6.6960 ACRES BEING OUT OF AND A PART OF LOT 8, THIS PROPERTY IS LOCATED IMMEDIATELY EAST OF THE REPSDORPH TRAFFIC CIRCLE, AND NORTH OF REPSDORPH ROAD, AND A 6.0081 ACRES BEING OUT OF AND A PART OF LOTS 7A-1, 7B-1 AND 8B, THIS PROPERTY IS LOCATED IMMEDIATELY SOUTH OF THE REPSDORPH TRAFFIC CIRCLE, AND NORTH OF VERMILLION ROAD, FROM C-1 (COMMERCIAL LIGHT) TO C-2 (COMMERCIAL MEDIUM) DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the applicant, Starship Dixie Farm, L.P., L.P., a Texas limited partnership, general partner M-Properties, Inc ("Applicant") has applied for a zoning change for a 20.3014 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas, Savings and Loan Company Subdivision, consisting of 7.5973 acres being out of and a part of Lots 7A and 7B, this property is located immediately west of the Repsdorph Traffic Circle and is adjacent to the Seabrook city limits; 6.6960 acres being out of and a part of Lot 8, this property is located immediately east of the Repsdorph Traffic Circle, and north of Repsdorph Road; and a 6.0081 acres being out of and a part of Lots 7A-1, 7B-1 and 8B, this property is located immediately south of the Repsdorph Traffic Circle, and north of Vermillion Road, ("Tract"), from C-1 (Commercial Light) to C-2 (Commercial Medium) district more specifically identified in Exhibit A, attached hereto and incorporated by reference; and

WHEREAS, all public notices have been published, mailed and provided in accordance with statute and the City Code of Ordinances, Appendix A of the City Code of Ordinances (Zoning Code); and

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47 **WHEREAS**, the Planning and Zoning Commission and the City Council have
48 conducted public hearings on such request, in the time and manner required by law and
49 the Zoning Code of the City; and
50

51 **WHEREAS**, the Planning and Zoning Commission recommended denial of
52 Applicant's requested zoning change at its meeting of May 15, 2014, and has made its
53 final report; and
54

55 **WHEREAS**, thereafter the Applicant considered the input from the Planning and
56 Zoning Commission and public as the result of the subject public hearing; and
57

58 **WHEREAS**, the Applicant has prepared a Development Agreement for
59 consideration by City Council to address the subject concerns; and
60

61 **WHEREAS**, the Tract is currently zoned C-1, but according to the City
62 Comprehensive Master Plat 2030 is appropriate for commercial redevelopment; and
63

64 **WHEREAS**, the City has previously identified the Repsdorph Road/Lakeside
65 Drive intersection for future mixed use development, and expended significant funds for
66 public infrastructure, including a traffic circle and related improvements in the area made
67 the basis of the requested rezoning; and
68

69 **WHEREAS**, the City Council has carefully reviewed the report of the Planning
70 and Zoning Commission, the minutes of such hearing, and the issues raised by certain
71 residents in addressing the requested rezoning; and
72

73 **WHEREAS**, the City Council notes that it established a Neighborhood
74 Empowerment Zone #2, by Resolution 2013-10, adopted on May 7, 2013, which
75 encompasses part of the Tract, pursuant to Texas Local Government Code Chapter 378
76 and has evaluated whether City incentives, if any, should be authorized for the subject
77 development, to address concerns associated with the proposed development of the Tract,
78 as provided in a Development Agreement, which if approved shall be addressed by
79 separate Resolution;
80

81 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE**
82 **CITY OF SEABROOK, STATE OF TEXAS:**
83

84 **SECTION 1. FINDINGS.**
85

86 The facts and matters set forth in the preamble of this Ordinance are hereby found
87 to be true and correct.
88

89 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO**
90 **THE OFFICIAL ZONING MAP.**
91

Ordinance No. 2014-16

Page 3

The Seabrook City Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 2, "Administration", Section 2.05, "Official Zoning Map" is hereby amended by rezoning the 20.3014 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas, Savings and Loan Company Subdivision, consisting of 7.5973 acres being out of and a part of Lots 7A and 7B, this property is located immediately west of the Repsdorph Traffic Circle and is adjacent to the Seabrook city limits; 6.6960 acres being out of and a part of Lot 8, this property is located immediately east of the Repsdorph Traffic Circle, and north of Repsdorph Road; and a 6.0081 acres being out of and a part of Lots 7A-1, 7B-1 and 8B, this property is located immediately south of the Repsdorph Traffic Circle, and north of Vermillion Road, from C-1 (Commercial Light) to C-2 (Commercial Medium) District, .

The 20.3014 acre Tract to be rezoned is shown by a metes and bounds description attached hereto as Exhibit A, incorporated herein by reference.

Upon passage of this Ordinance, the official zoning map of the City of Seabrook shall be amended to reflect this change.

SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.

This ordinance is hereby incorporated and made a part of the Seabrook City Code. Violation of this Ordinance is subject to the penalty section of said Code including, Section 11.06, "Criminal Enforcement" which provides that any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

SECTION 5. SEVERABILITY.

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. NOTICE

Ordinance No. 2014-16

Page 4

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 1st day of July, 2014.

PASSED, APPROVED, AND ADOPTED on second and final reading this 15th day of July, 2014.

By: _____
Glenn Royal
Mayor

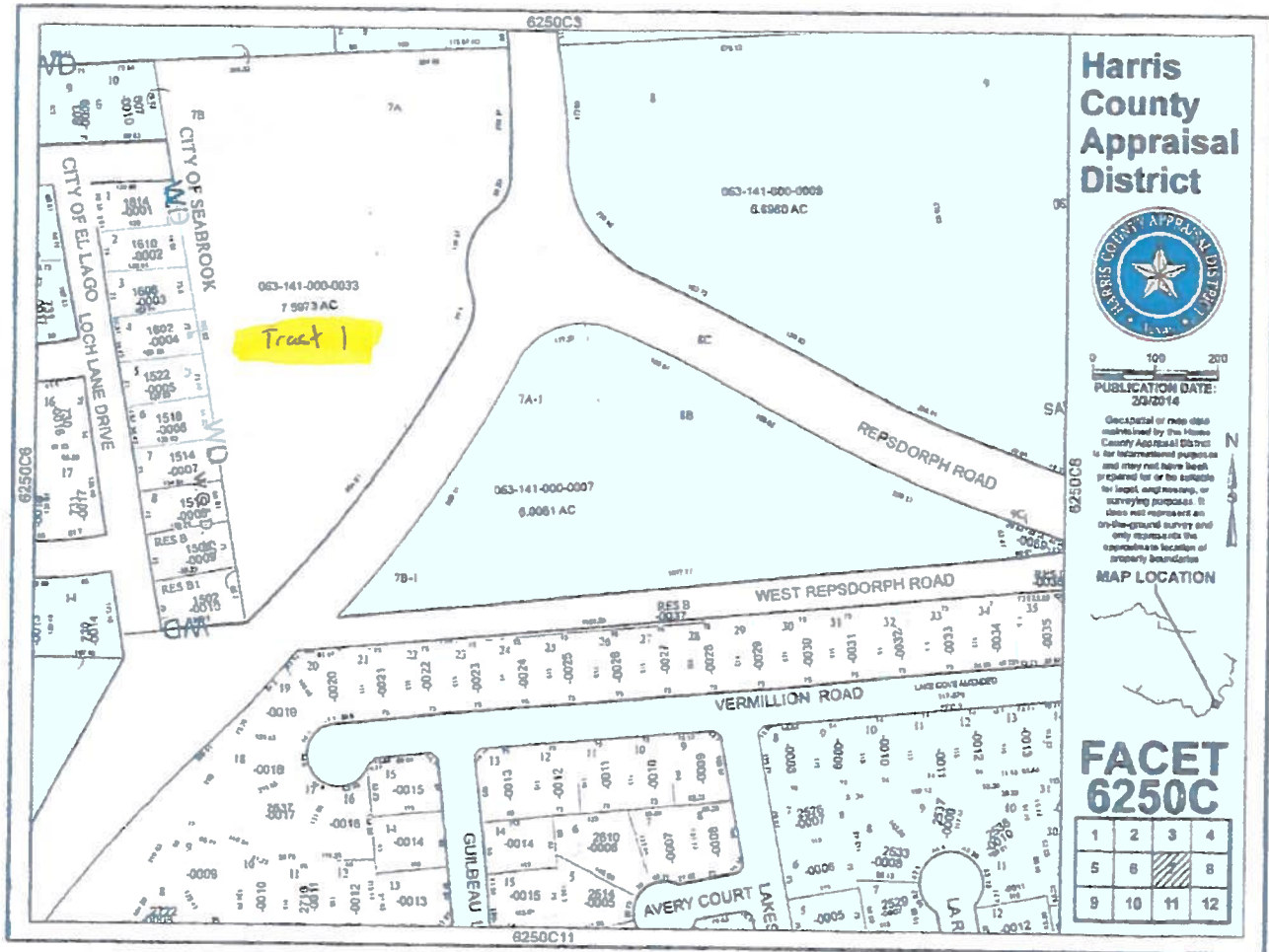
ATTEST:

By: _____
Michele L. Glaser, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney

Exhibit A



Mar-01-2007 07:17pm From-ACCESSCORPORATION

+4008500765

T-071 P.000/010 F-357

EXHIBIT "A"
Tract I

FIELD NOTES of a 7.5973 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas out of and a part of that certain Lot 7 of the Savings and Loan Company Subdivision as recorded in Volume 3 at Page 71 of the Map Records of Harris County, Texas; and being out of and a part of that certain 6.274 acre tract of land conveyed by Oasis Café, Inc. to JSK 2000 Family Partnership, LTD., by Deed dated January 14, 2003 and recorded under County Clerk's File No. W369355 of the Official Public Records of Real Property of Harris County, Texas; and being out of and a part of that certain 6.274 acres conveyed by Zillion, Inc., to JSK 2000 Family Partnership, LTD., by Deed dated January 14, 2003 and recorded under County Clerk's File No. W369350 of the Official Public Records of Real Property of Harris County, Texas. Said 7.5973 acres being more particularly described by the following metes and bounds, to-wit:

NOTE: BEARINGS ARE BASED ON PLAT BEARINGS AND FOUND MONUMENTS IN THE NORTH LINE OF THAT CERTAIN AMENDING PLAT OF LAKE COVE SUBDIVISION, SECTION THREE, AS RECORDED IN VOLUME 358 AT PAGE 149 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND IN THE SOUTH RIGHT-OF-WAY LINE OF WEST REPSDORF ROAD (60 FEET WIDE RIGHT-OF-WAY). REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

COMMENCING at a ½ inch iron rod, with cap, set in the North right-of-way line of West Repsdorph Road for the Southwest corner of said Lot 7 of said Savings and Loan Company Subdivision and the Southeast corner of El Lago Estates Subdivision as recorded in Volume 118 at Page 45 of the Map Records of Harris County, Texas. Said point being the Southwest corner of that certain 4.4742 acre tract heretofore surveyed.

THENCE: North 07°13'48" West along the West line of said 4.4742 acre tract, the West line of said Lot 7 and the East line of said El Lago Estates Subdivision, for a distance of 0.66 feet to a point for the Southeast Northwest corner of said 4.4742 acres and the Southeast corner and POINT OF BEGINNING of this tract.

THENCE: Continue North 07°13'48" West along the West line of this tract, the West line of said Lot 7, the West line of said 4.4742 acres and the East line of said El Lago Estates Subdivision, and at 585.93 feet pass a ½ inch iron rod found on line, at 725.99 feet pass a ½ inch iron rod found on line at the Southeast corner of Whitecap Drive (60 feet wide right-of-way), at 786.47 feet pass a ½ inch iron rod found on line at the Northeast corner of said Whitecap Drive, in all, a total distance of 907.92 feet to a ½ inch iron pipe found in the South line of that certain 10.00 acre tract of land (Second Tract) conveyed by Friendswood Development Company to Clear Creek Independent School District by Deed dated March 29, 1965 and recorded under County Clerk's File No. C067746 of the Deed Records of Harris County, Texas. Said point being the Northwest corner of said Lot 7, the Northeast corner of said El Lago Estates and the Northwest corner of this tract of land.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

Mar-01-2007 07:17pm From: ACCESSCORPORATION

+4010650705

T-071 P 010/016 F-357

EXHIBIT 'A'
Tract I

PAGE 2 - 7.5973 ACRES.

THENCE: North 89°49'15" East along the North line of this tract, the South line of said 10.00 acres, the South line of a 1.211 acre tract conveyed by Friendswood Development Co. to Charter Financial Group, Inc., Trustee, by Deed dated November 12, 1974 and recorded under County Clerk's File No. B318543 of the Deed Records of Harris County, Texas, the South line of that certain 0.2298 of an acre tract of land conveyed by Red Bluff Dev. Co. to the City of Seabrook by Deed dated May 4, 1973 and recorded under County Clerk's File No. D953768 of the Deed Records of Harris County, Texas and the South line of that certain 40.92 acre tract conveyed by Theodore Dee McCollom, Jr. to Seabrook Venture II by Deed dated March 1, 2000 and recorded under County Clerk's File No. U265748 of the Official Public Records of Real Property of Harris County, Texas; and at 299.27 feet pass a 1/4 inch iron rod found for the Southeast corner of said 10.00 acres and the Southwest corner of said 1.211 acres; at 359.32 feet pass a 1/4 inch iron rod (with cap marked "2113") found for the Southeast corner of said 1.211 acres and the Southwest corner of said 0.2298 of an acre; at 459.54 feet pass a 5/8 inch iron rod found for the Southeast corner of said 0.2298 of an acre and the Southwest corner of said 40.92 acres; in all, a total distance of 563.98 feet to a 1/4 inch iron rod, with cap, set for the Northeast corner of this tract and the Northernmost Northwest corner of said 4.4742 acres. Said point being in a curve to the right, concave Westerly.

THENCE: Along and around said curve to the right in a Southwesterly direction, along the East line of this tract and the West line of said 4.4742 acres; said curve having a radius of 1950.00 feet, a central angle of 06°03'39" and a chord bearing and distance of South 01°04'43" West 206.18 feet, for an arc length of 206.27 feet to a 1/4 inch iron rod, with cap, set for the TERMINATION POINT of said curve and the BEGINNING POINT of another curve to the right, concave Northwesterly

THENCE: Along and around said curve to the right in a Southwesterly direction, along the East line of this tract and the West line of said 4.4742 acres; said curve having a radius of 62.95 feet, a central angle of 51°16'08", and a chord bearing and distance of South 29°44'35" West 54.47 feet, for an arc length of 56.33 feet to a 1/4 inch iron rod, with cap, set for the TERMINATION POINT of this curve and the BEGINNING POINT of another curve to left, concave Easterly.

THENCE: Along and around said curve to the left in a Southerly direction, along the East line of this tract and the West line of said 4.4742 acres; said curve having a radius of 110.00 feet, a central angle of 72°07'34" and a chord bearing and distance of South 19°10'58" West 129.51 feet, for an arc length of 138.47 feet to a 1/4 inch iron rod, with cap, set for the TERMINATION POINT of said curve and the BEGINNING POINT of another curve to the right, concave Westerly.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

03/01/2007 THU 10:07 ITX/RX NO 00071 0010

223-00-0497

T-871 P.011/018 F-357

EXHIBIT "A"
Tract I

PAGE 3 - 7.5973 ACRES

THENCE: Along and around said curve to the right in a Southerly direction, along the East line of this tract and the West line of said 4.4742 acres; said curve having a radius of 93.25 feet, a central angle of 47°22'15" and a chord bearing and distance South 06°48'18" West 74.92 feet, for an arc length of 77.10 feet to a ½ inch iron rod, with cap, set for the **TERMINATION POINT** of said curve and the **BEGINNING POINT** of another curve to the right, concave Westwarily.

THENCE: Along and around said curve to the right, in a Southwesterly direction, along the East line of this tract and the West line of said 4 4742 acres; said curve having a radius of 1950.00 feet, a central angle of $17^{\circ}11'10''$ and a chord bearing and distance of South $39^{\circ}05'00''$ West 582.72 feet, for an arc length of 584.91 feet to the PLACE OF BEGINNING and containing within these boundaries 7.5973 acres of land.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

03/01/2007 THU 18:07 ITX/RX NO 68071 2011

Mar-01-2007 07:17pm From: ACCESSCORPORATION

40000560745

T-071 P.012/016 F-207

EXHIBIT "A"
Tract II

FIELD NOTES of a 6.6960 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas out of and a part of Lot 8 of the Savings and Loan Company Subdivision as recorded in Volume 3 at Page 71 of the Map Records of Harris County, Texas and out of and a part of that certain 0.805 of an acre tract of land conveyed by the Most Reverend Joseph A. Fiorenza to the City of Seabrook, Texas by Deed dated September 11, 2000 and recorded under County Clerk's File No. U675140 of the Official Public Records of Real Property of Harris County, Texas. Said Lot 8 being that same land conveyed by Joseph A. Fiorenza to JSK 2000 Family Partnership, LTD., by Deed dated January 21, 2003 and recorded under County Clerk's File No. W395578 of the Official Public Records of Real Property of Harris County, Texas. Said 6.6960 acres being more particularly described by the following metes and bounds, to-wit:

NOTE: BEARINGS ARE BASED ON PLAT BEARINGS AND FOUND MONUMENTS IN THE NORTH LINE OF THAT CERTAIN AMENDING PLAT OF LAKE COVE SUBDIVISION, SECTION THREE, AS RECORDED IN VOLUME 358 AT PAGE 149 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND IN THE SOUTH RIGHT-OF-WAY LINE OF WEST REPSDORPH ROAD (60 FEET WIDE RIGHT-OF-WAY). REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

COMMENCING at a 1/4 inch iron rod, with cap, set in the North right-of-way line of West Repsdorph Road, 60 feet wide right of way, at the Southeast corner of said Lot 8 and the Southwest corner of Lot 9 of said Subdivision. Said point being the Southeast corner of a 3.0834 acre tract of land surveyed this date.

THENCE: North 07°13'39" West along the East line of said tract of 3.0834 acres, the East line of said Lot 8 and the West line of said Lot 9 and at 63.15 feet pass a 1/4 inch iron rod, with cap, set for the Northeast corner of said 3.0834 acres and the Southeast corner of a 4.4742 acre tract heretofore surveyed; in all, a total distance of 177.73 feet to a 1/4 inch iron rod, with cap, set for the Easternmost Northeast corner of said 4.4742 acres and the Southeast corner and **POINT OF BEGINNING** of this tract. Said point being in a curve to the right, concave Northeast.

THENCE: Along and around said curve to the right in a Northwesterly direction, along the South line of this tract and the Easternmost North line of said 4.4742 acres; said curve having a radius of 1750.00 feet, a central angle of 08°24'41" and a chord bearing and distance of North 62°49'49" West 256.68 feet, for an arc length of 256.91 feet to a 1/4 inch iron rod, with cap, set for the **TERMINATION POINT** of said curve.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

03/01/2007 THU 18:07 TX/R1 NO 68071 0012

Mar-01-2007 07:17pm Free-ACCESSCORPORATION

14000000705

T-071 P 010/010 F-207

EXHIBIT "A"
Tract II

PAGE 2 - 6.6960 ACRES.

THENCE: North $58^{\circ}37'29''$ West along the South line of this tract and the Easternmost North line of said 4.4742 acres for a distance of 199.82 feet to a $\frac{1}{4}$ inch iron rod, with cap, set for the **BEGINNING POINT** of a curve to the left, concave Southwesterly.

THENCE: Along and around said curve to the left in a Northwesterly direction, along the South line of this tract and the Easternmost North line of said 4.4742 acres; said curve having a radius of 1849.99 feet, a central angle of $05^{\circ}04'16''$ and a chord bearing and distance of North $61^{\circ}09'36''$ West 163.68 feet, for an arc length of 163.73 feet to a $\frac{1}{4}$ inch iron rod, with cap, set for the Southwest corner of this tract and the **TERMINATION POINT** of this curve and the **BEGINNING POINT** of another curve to the right, concave Northeasterly.

THENCE: Along and around said curve to the right in a Northwesterly direction, along the West line of this tract and the Easternmost North line of said 4.4742 acres; said curve having a radius of 206.21 feet, a central angle of $66^{\circ}40'35''$ and a chord bearing and distance of North $30^{\circ}21'32''$ West 226.65 feet, and at an arc length of 107.59 feet pass a $\frac{1}{4}$ inch iron rod, with cap, set in the East line of said 0.801 of an acre; in all, a total arc length of 239.97 feet to a $\frac{1}{4}$ inch iron rod, with cap, set for the **TERMINATION POINT** of this curve and the **BEGINNING POINT** of another curve to the left, concave Westerly.

THENCE: Along and around said curve to the left, in a Northerly direction, along the West line of this tract and the East line of said 4.4742 acres; said curve having a radius of 2050.00 feet, a central angle of $04^{\circ}50'12''$ and a chord bearing and distance of North $00^{\circ}33'10''$ East 173.00 feet, and at an arc length of 173.84 feet pass a $\frac{1}{4}$ inch iron rod, with cap, set in the East line of said 0.805 of an acre; in all, a total arc length of 173.05 feet to a $\frac{1}{4}$ inch iron rod, with cap, set in the North line of said Lot 8 and the South line of that certain 40.92 acre tract of land conveyed by Theodore Des McColton, Jr., to Seabrook Venture II, by Deed dated March 1, 2000 and recorded under County Clerk's File No. U265748 of the Official Public Records of Real Property of Harris County, Texas. Said point being the Northwest corner of this tract and the Northeastmost Northeast corner of said 4.4742 acres.

THENCE: North $89^{\circ}49'15''$ East along the North line of this tract, the North line of said Lot 8 and the South line of said 40.92 acre tract for a distance of 570.12 feet to a $\frac{1}{4}$ inch iron rod found for the Northeast corner of this tract, the Northeast corner of said Lot 8 and the Northwest corner of said Lot 9.

THENCE: South $07^{\circ}13'59''$ East along the East line of this tract, the East line of said Lot 8 and the West line of said Lot 9 for a distance of 675.92 feet to the **PLACE OF BEGINNING** and containing within these boundaries 6.6960 acres of land.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

Mar-01-2007 07:17pm Free-ACCESSCORPORATION

44988888795

T-071 P 014/010 F-357

EXHIBIT "A"
Tract III

FIELD NOTES of a 6.0081 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas out of and a part of Lot 8 of the Savings and Loan Company Subdivision as recorded in Volume 3 at Page 71 of the Map Records of Harris County, Texas; out of and a part of that certain 0.835 of an acre tract of land conveyed by the Most Reverend Joseph A. Fiorenza to the City of Seabrook, Texas by Deed dated September 11, 2000 and recorded under County Clerk's File No. U675140 of the Official Public Records of Real Property of Harris County, Texas; out of and a part of that certain 6.274 acre tract of land conveyed by Oasis Cafe, Inc. to JSK 2000 Family Partnership, LTD., by Deed dated January 14, 2003 and recorded under County Clerk's File No. W369355 of the Official Public Records of Real Property of Harris County, Texas; and out of and a part of that certain 6.274 acres conveyed by Zillion, Inc., to JSK 2000 Family Partnership, LTD., by Deed dated January 14, 2003 and recorded under County Clerk's File No. W369350 of the Official Public Records of Real Property of Harris County, Texas. Said Lot 8 being that same land conveyed by Joseph A. Fiorenza to JSK 2000 Family Partnership, LTD., by Deed dated January 21, 2003 and recorded under County Clerk's File No. W395578 of the Official Public Records of Real Property of Harris County, Texas. This 6.0081 acre tract of land is more particularly described by the following metes and bounds, to-wit:

NOTE: BEARINGS ARE BASED ON PLAT BEARINGS AND FOUND MONUMENTS IN THE NORTH LINE OF THAT CERTAIN AMENDING PLAT OF LAKE COVE SUBDIVISION, SECTION THREE, AS RECORDED IN VOLUME 358 AT PAGE 149 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND IN THE SOUTH RIGHT-OF-WAY LINE OF WEST REPSDORPH ROAD (60 FEET WIDE RIGHT-OF-WAY). REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at a 1/2 inch iron rod, with cap, set in the North right-of-way line of West Repsdorph Road, 60 feet wide right of way, at the Southeast corner of Lot 8 and the Southwest corner of Lot 9 of said Subdivision. Said point being the Southeast corner and POINT OF BEGINNING of this tract.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

03/01/2007 THU 15:07 ITX/RX NO 40071 0014

Mar-01-2007 07:18pm From-ACCESSCORPORATION

+4000000705

T-071 P 010/016 F-387

EXHIBIT "A"
Tract III

PAGE 2 - 6.0081 ACRES.

THENCE: South $87^{\circ}16'40''$ West along the South line of this tract, the South line of said Lot 8, the North right-of-way line of West Repsdrup Road, the South line of said 0.805 of an acre, the South line of said 6.274 acre tracts and the South line of said Lot 7, and at 570.48 feet pass a $\frac{1}{4}$ inch iron rod found for the Southeast corner of said 0.805 of an acre tract; at 611.13 feet pass a 1 inch iron pipe found for the Southwest corner of said 0.805 of an acre, the Southwest corner of said Lot 8, the Southeast corner of said Lot 7 and the Southeast corner of said 6.274 acres conveyed by Oasis Café, Inc.; at 920.14 feet pass a $\frac{1}{4}$ inch iron rod found for the Southwest corner of said 6.274 acres conveyed by Oasis Café, Inc. and the Southeast corner of said 6.274 acres conveyed by Zillion, Inc.; in all, a total distance of 1077.77 feet to a $\frac{1}{4}$ inch iron rod, with cap, set for the Southwest corner of this tract and the Westernmost Southeast corner of that certain 4.4742 acre tract heretofore surveyed. Said point being the BEGINNING POINT of a curve to the left, concave Northwestwardly.

THENCE: Along and around said curve to the left, in a Northeasterly direction, along the North line of this tract and the South line of said 4.4742 acres, said curve having a radius of 2030.00 feet, a central angle of $13^{\circ}38'40''$ and a chord bearing and distance of North $37^{\circ}26'50''$ East 498.87 feet, for an arc length of 500.11 feet to a $\frac{1}{4}$ inch iron rod, with cap, set for the TERMINATION POINT of said curve and the BEGINNING POINT of another curve to the right, concave Southerly. Said point being the Northwest corner of this tract.

THENCE: Along and around said curve to the right, in a Northeasterly direction, along the North line of this tract and the South line of said 4.4742 acres; said curve having a radius of 119.00 feet, a central angle of $85^{\circ}29'54''$ and a chord bearing and distance of North $73^{\circ}12'27''$ East 161.55 feet, and at an arc length of 127.44 feet pass a $\frac{1}{4}$ inch iron rod, with cap, set in the East line of said Lot 7, the East line of said 6.724 acres conveyed by Oasis Café, Inc., the West line of said Lot 8 and the West line of said 0.805 of an acre; at an arc length of 170.71 feet pass a $\frac{1}{4}$ inch iron rod, with cap, set in the East line of said 0.805 of an acre; in all, a total arc length of 177.57 feet to a $\frac{1}{4}$ inch iron rod, with cap, set for the TERMINATION POINT of said curve. Said point being the BEGINNING POINT of another curve to the right, concave Southwestwardly.

THENCE: Along and around said curve to the right, in a Southeasterly direction, along the North line of this tract and the South line of said 4.4742 acres; said curve having a radius of 1749.99 feet, a central angle of $05^{\circ}25'07''$ and a chord bearing and distance of South $61^{\circ}20'02''$ East 163.44 feet, for an arc length of 163.51 feet to a $\frac{1}{4}$ inch iron rod, with cap, set for the TERMINATION POINT of this curve.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE
AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

03/01/2007 THU 18:07 ITX/RX NO 88071 015

Mar-01-2007 07:10pm Frog-ACCESSCORPORATION

+4020000700

T-071 P.010/010 F-357

EXHIBIT "A"
Tract III

PAGE 3 - 6.0081 ACRES.

THENCE: South 58°37'29" East along the North line of this tract and the South line of said 4.4742 acres for a distance of 199.82 feet to a 1/4 inch iron rod, with cap, set for the **BEGINNING POINT** of a curve to the left, concave Northeastly.

THENCE: Along and around said curve to the left in a Southeasterly direction, along the North line of this tract and the South line of said 4.4742 acres; said curve having a radius of 1850.00 feet, a central angle of 10°11'52" and a chord bearing and distance of South 63°43'25" East 328.84 feet, for an arc length of 329.27 feet, to a 1/4 inch iron rod, with cap, set in the East line of said Lot 8 and the West line of said Lot 9 for the Northeast corner of this tract and the Southeast corner of said 4.4742 acres.

THENCE: South 07°13'59" East along the East line of this tract, the East line of said Lot 8 and the West line of said Lot 9 for a distance of 63.07 feet to the **PLACE OF BEGINNING** and containing within these boundaries 6.0081 acres of land.

RECORDED IN THE PUBLIC RECORDS OF HARRIS COUNTY, TEXAS
BOOK 100, PAGE 100

JUN 28 2006



David A. Johnson
COUNTY CLERK
HARRIS COUNTY, TEXAS

FILED
2006 JUN 28 PM 1:02
David A. Johnson
COUNTY CLERK
HARRIS COUNTY, TEXAS

RECORDING INFORMATION:
At the time of recording, this instrument was filed in the Public Records of Harris County, Texas, in accordance with the provisions of the Texas Property Code, Chapter 62, Subchapter C, Section 62.09, which requires that all instruments be recorded in the Public Records of Harris County, Texas, in accordance with the provisions of the Texas Property Code, Chapter 62, Subchapter C, Section 62.09, which requires that all instruments be recorded in the Public Records of Harris County, Texas, in accordance with the provisions of the Texas Property Code, Chapter 62, Subchapter C, Section 62.09.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, JULY 1, 2014

Submitter/Requestor: Applicant

Date Submitted: 6/24/2014 11:18:38 AM

Presenter: Applicant

Description/Subject:

Consider and approve Developer Agreement between Pacific Ridge Development Company, LLC and the City of Seabrook for certain performance standards and an incentive to waive all fees for the building permit(s) for the initial development of the project in an amount not to exceed \$20,000.

Purpose/Need: NA

Background/Issue(What prompted this need):

Pacific Ridge Company, LLC owns a 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of Lots 15, 16, 17, and 18 of Ruggles Subdivision and has applied for a rezoning from R-1 to C-2. Pacific Ridge has submitted the attached Developer Agreement for City Council consideration that outlines additional Company Obligations that list performance standards for said tract along with a request for an incentive. The incentive is for a waiver of construction and development permits in an amount not to exceed \$20,000 and up to 24 months from the date of this Agreement.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Agreement

Fiscal Impact:	Budgeted	Yes	Finance Review:	Officer
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Budget Amendment Required	Yes
Future/Ongoing Impact	Yes

Budget Dept/Line Item Number

Funding Comments:

Where on the agenda should this item be placed?

New Business

Suggested Motion:

Agenda Language:

Consider/discuss Developer Agreement between Pacific Ridge Development Company, L.L.C. and the City of Seabrook for certain performance standards and an incentive to waive all fees for the building permit(s) for the initial development of the project in an amount not to exceed \$20,000. (Cook)

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

AGREEMENT

This Agreement (the "Agreement") is made and entered into by and between PACIFIC RIDGE DEVELOPMENT COMPANY, LLC (the "Company"), a California limited liability company, and the CITY OF SEABROOK, TEXAS (the "City"), a Texas home rule city, for the purposes and considerations stated below.

FACTUAL RECITALS AND FINDINGS:

WHEREAS, the Texas Department of Transportation ("TxDOT") is expanding State Highway 146 into a grade separated 6 lane highway with controlled access feeder roads through the City (the "146 Expansion"), resulting in the forced relocation of over 50 businesses in the City, and is materially and negatively impacting many other properties and businesses, as detailed in the Environmental Assessment for the 146 Expansion prepared by TxDOT and the US Dept. of Transportation dated April 2013. Such relocations and impacts are scheduled to commence in 2017; and

WHEREAS, the City risks losing substantial commercial property and sales tax revenues if the affected businesses relocate outside the City or are less successful due to the 146 Expansion; and

WHEREAS, the current relocation opportunities within the City are limited, which will result in businesses relocating outside the City; and

WHEREAS, the City has i) identified the Repsdorph Road/Lakeside Drive intersection, and the Traffic Circle at that intersection (the "Development Area") as an area for future mixed use development, and ii) expended significant funds for public infrastructure in that area; and

WHEREAS, the City established Neighborhood Empowerment Zone #2, by Resolution 2013-10, adopted on May 7, 2013 (the "Resolution"), which encompasses part of the Land, pursuant to Tx. Loc. Gov't Code Ch. 378 and the Incentive Policy, in which Resolution the Council finds that creation of the Neighborhood Empowerment Zone will:

- ☐ promote an increase in economic development in the zone;
- ☐ benefit and is for the public purpose of increasing the public health, safety, and welfare of the citizens of the City; and
- ☐ satisfy the requirements of Texas Tax Code Sections 312.202; and
- ☐ contribute to the retention or expansion of primary employment or to attract major investment in the neighborhood empowerment zone that would be a benefit to the Land.

WHEREAS, the potential negative impact of the 146 Expansion to the City is dramatic, such that the City established a Budget Stabilization Fund by Ord. 2011-22; and

WHEREAS, a grocery anchored retail project (“Project”) is an appropriate use for the Development Area to provide for relocating businesses and to provide for new, high quality goods and services providers needed by City residents; and

WHEREAS, the Company owns land in the Development Area bounded by Lakeside Drive on the west, 146/City water station on the east and Oak Ridge Meadows residential subdivision on the north, and as further described on Exhibit A attached hereto and incorporated herein (the “Land”) for the purpose of developing a Project thereon, and the Company has the experience and capability to develop such a Project; and

WHEREAS, the Land is currently zoned R-1, but according to the City Comprehensive Master Plat 2030 is appropriate for commercial redevelopment under certain circumstances; and

WHEREAS, the Project must be initiated quickly in order to be ready by 2017, when businesses will be relocated by the 146 Expansion; and

WHEREAS, the City desires to implement economic development programs authorized by Texas law and approved by the City, including, but not limited to, those authorized by Chapters 378 and 380 of the Texas Local Government Code, consistent with the City Charter; and

WHEREAS, the City has determined that its economic development programs promote state and local economic development, stimulate business and commercial activity in the City, discourage the loss of existing businesses and jobs, increase sales and ad valorem taxes, promotes development and diversification of the economy, elimination of unemployment and underemployment, and expansion of commerce; and

WHEREAS, the Resolution establishes non-exclusive authority for the City to provide economic development incentives (the “Incentive Policy”) pursuant to the Land being located in the subject Neighborhood Empowerment Zone; and

WHEREAS, the City finds that the development of the Project by the Company in the City promotes local economic development and stimulates business and commercial activity within the City and would directly establish a public purpose, as contemplated above; and

WHEREAS, the City finds that the Project would not be developed in the City without the incentives set forth herein; and

WHEREAS, the City has the authority to enter into this Agreement based upon, among other authorization and its home rule powers, Texas Local Government Code Chapters 378 and 380;

NOW, THEREFORE, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENTS

SECTION 1 Authorization

This Agreement is authorized by law, including but not limited to, Sections 378 and 380 of the Texas Local Government Code and is within the authority of the City under the City Charter and related law.

SECTION 2 Factual Recitals and Findings

The factual recitals and findings set forth above are found to be true and correct for all purposes, and incorporated into the body of this Agreement. The City and Company have each relied upon the truth of the recitals in entering into this Agreement and proceeding to develop the Project.

SECTION 3 Effective Date/Term

This Agreement shall be effective as of the date of execution by both parties (the “Effective Date”). This Agreement shall remain in full force and effect until the City and the Company have completed their respective obligations hereunder or has been earlier terminated by the parties in writing (the “Term”). Should the primary building on the Land be razed (leaving only pad sites with buildings), then this Agreement shall terminate and the parties shall execute and record a memorandum of termination.

SECTION 4 City Obligations

4.1 Permits. The City will expedite all construction and development permits for the Project such that all permits will be issued within 21 days of submission of proper plans and specifications in compliance with applicable codes and ordinances, provided any permit may be issued contingent on final plat approval.

4.2 Fees. The City agrees to waive all fees for the building permit(s) for the initial development and improvements to the Project. This waiver shall apply to building, plumbing and electrical work for permits sought up to 24 months from the date of this Agreement in an amount not to exceed \$20,000.

SECTION 5 Company Obligations

The Project shall comply with the following performance standards:

- a. *Special Landscape Area*: The area within 50’ of contiguous and adjoining R-1 zoned properties located in the City shall meet the following standards:

- Pervious, landscaped area
 - No drives or parking
 - No commercial or retail use
 - Irrigated
 - Maintained by the owner thereof in good order, appropriated trimmed and clear of trash/debris.
- b. *Special Screening/Buffering:* Along the boundary with contiguous and adjoining R-1 zoned properties located in the City, the following requirements shall apply-
- 8' masonry wall without openings
 - Trees no shorter than 8' tall and in a quantity of no less than one tree per four feet of boundary wall shall be planted, maintained, and replaced as required. The layout shall be approved by the City Planning Director at the time of plan approval for the Project. The trees shall be appropriately irrigated.
- c. *Special Setbacks for Certain Uses:* The following uses must be setback 75' from the following distances from contiguous and adjoining R-1 zoned properties located in the City:
- Loading Dock
 - Trash Dumpsters
 - Open Storage.
- d. *Uses Permitted:* The Project may include only the uses shown in the Permitted Uses on Exhibit B attached and made a part hereof for all purposes.

SECTION 6

Default and Recapture

6.1 Termination. This Agreement may be terminated if Company refuses, fails or neglects to substantially comply with any of the terms of this Agreement or, if any representation made by the Company is false or misleading in any material aspect. Termination of this Agreement may be effected if any such default is not cured within thirty (30) days after written notice by the City to Company.

6.2 Recapture. If the City terminates this Agreement as a result of default by Company, then the waiver of permit fees, as provided in paragraph 4.2, will be immediately abolished and waived. The City shall have the right to recapture all waived permits and inspections fees, as provided in Section 6.3 below.

6.3 Bill for Fees. In the event of termination, a bill for the total amounts due will be sent to Company, and Company hereby agrees to pay the total amounts due within sixty (60) days after receipt of the bill. Statutory penalties interest and attorneys fees will accrue if Company fails to timely pay the bill. Nothing in this Agreement shall preclude Company from disputing the bill.

SECTION 7 Mutual Assistance

The parties shall do all things reasonably necessary or appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions. The City shall, in a form prepared by Company, upon thirty (30) days advance written notice and limited to once each calendar year, execute a certificate addressed to the Company, a lender to the Company or a potential purchaser of the Project or the Land (or a portion thereof) or the Company stating whether this Agreement is in full force and effect, stating whether the Agreement is currently valid and enforceable, specifying that there are no defaults hereunder (or if a default exists, delineating default and the requirements to cure the default).

SECTION 8 Representations and Warranties

The City represents and warrants to the Company to the best of its belief that the Program and this Agreement are within the scope of its authority and the provisions of the City's charter and that it is duly authorized and empowered to establish the Program and enter into this Agreement. The City agrees, to the extent provided by law, not to challenge this Agreement or the City's authority to enter into or perform this Agreement, whether directly or indirectly. The Company represents and warrants to the City that it has the requisite authority to enter into this Agreement. The Parties recognize that they each have relied upon the validity and enforceability of this Agreement in selecting the Land for the Project and would not have made that decision, but for the benefits of this Agreement.

SECTION 9 Hold Harmless and Indemnification

The Company agrees to protect, defend, hold harmless and indemnify the City, any member of its government body, its officers, employees and agents, from and against any and all claims, actions, liabilities and damages brought by third parties actually suffered by a person or persons and actually arising out of this Agreement due to the actions of the Company.

SECTION 10 Section or Other Headings

Section or other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

SECTION 11 Attorneys' Fees

In the event any legal action or proceeding is commenced to enforce or interpret provisions of this Agreement, the prevailing party in any such legal action shall be entitled to recover its reasonable attorneys' fees and expenses incurred by reason of such action.

SECTION 12
Entire Agreement

This Agreement contains the entire agreement between the parties with respect to the transaction contemplated herein.

SECTION 13
Amendment

This Agreement may only be amended or altered by written instrument signed by the parties.

SECTION 14
Successors and Assigns

This Agreement shall be binding on and inure to the benefit of the parties, their respective successors and assigns. The Company may assign all or part of its rights and obligations hereunder only upon prior written approval of the City, which approval shall not be unreasonably withheld or delayed. However, the Company may transfer or assign its rights or obligations hereunder to (i) any entity which is an affiliate (specifically including a direct or indirect parent or subsidiary) of the Company, so long as the Company shall remain responsible and obligated to the City for the performance of its obligations under this Agreement, (ii) any purchaser of a portion of the Land, or (iii) any purchaser of the Project. Each such party shall assume the obligations hereunder, as to the portion of the Land acquired, whereupon the Company shall be released from future liability.

SECTION 15
Notice

Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified mail with return receipt requested, postage prepaid, or upon receipt by nationally recognized overnight courier, addressed to the appropriate party at the following addresses, or at such other addresses provided by the parties by notice under this Section:

COMPANY: Pacific Ridge Development Company, LLC
Attn: John Boswell
211 E. Carrillo Street #204
Santa Barbara, CA 93101

With copies to: Wilson, Cribbs & Goren, P.C.
Attn: Reid C. Wilson
2500 Fannin
Houston, Texas 77002

CITY: City of Seabrook, Texas
Attention: City Manager
1700 First Street
Seabrook, Texas 77586

With copies to: Ross, Banks, May, Cron & Cavin, P.C.
Attn: Steven L. Weathered, City Attorney
2 Riverway, Suite 700
Houston, Texas, 77056

SECTION 16
Interpretation

Regardless of the actual drafter of this Agreement, this Agreement shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against any party.

SECTION 17
Applicable Law

This Agreement is made, and shall be construed and interpreted under the laws of the State of Texas, and venue shall exclusively lie in state courts located in Harris County, Texas.

SECTION 18
Counterparts

This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which shall constitute one instrument.

SECTION 19
Time of Essence

Time is of the essence in the performance of this Agreement.

SECTION 20
Severability

If a portion of this Agreement is deemed or declared invalid, then the remaining provisions shall continue in effect.

SECTION 21
Recording

At the City's option, a memorandum of this Agreement may be filed in the real property records, which may recite the restrictions set forth in Section 6 as restrictive covenants enforceable by the City against the Land. Such memorandum may be filed by the City at any time.

EXECUTED this _____ day of July, 2014.

CITY OF SEABROOK, TEXAS

NAME: Glenn Royal
TITLE: Mayor

APPROVED AS TO
FORM:

CITY ATTORNEY

PACIFIC RIDGE DEVELOPMENT COMPANY, LLC,
a California limited liability company

By: _____
NAME: John Boswell
TITLE: Manager

STATE OF TEXAS §
COUNTY OF HARRIS §

Before me, _____, a notary public on this day personally appeared Glenn Royal, known to me to be the person whose name is subscribed to the foregoing instrument, and known to me to be the Mayor of the CITY OF SEABROOK, TEXAS, a municipal corporation, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said city.

Given under my hand and official seal this ____ day of July, 2014.

My commission expires: _____
Notary Public

STATE OF CALIFORNIA §
COUNTY OF _____ §

Before me, _____, a notary public on this day personally appeared John Boswell, known to me to be the person whose name is subscribed to the foregoing instrument, and known to me to be the Manager of Pacific Ridge Development Company, LLC, a California limited liability company, and acknowledged to me that he had authority to execute said instrument for the purposes and consideration therein expressed, and as the act of said company.

Given under my hand and official seal this _____ day of _____, 2014.

My commission expires: _____

Notary Public

EXHIBIT A
Description of the Land

Legal Description of 12.1341 Acre Tract

A 12.1341 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Texas and being out of and a part of Lots 15, 16, 17 and 18 of Ruggles Subdivision as recorded in Volume 5 at Page 30 of the Map Records of Harris County, Texas. Said tract also being out of and a part of the residue of that certain 40.92 acre tract of land conveyed by Theodore Dee McCollom, Jr. to Seabrook Venture II by Correction Deed dated March 1, 2000 and recorded under County Clerk's File No. U265748 of the Official Public Records of Real Property of Harris County, Texas. This 12.1341 acres is more particularly described by the following metes and bounds, to-wit:

NOTE: BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83. ALL DISTANCES ARE ACTUAL DISTANCES. SCALE FACTOR = 0.9998758. REFERENCE IS MADE TO THE PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

COMMENCING at a 1/2 inch iron rod, with cap (BHA), set in the West right-of-way line of the Southern Pacific Railroad (also known as the T. & N. O. Railroad; 100 feet wide right-of-way) for the Southeast corner of said Lot 18, the Northeast corner of that certain 2.245 acres conveyed by Albert S. Farquhar, et ux, to Houston Lighting & Power Company by Deed dated October 23, 1962 and recorded under County Clerk's File No. B589710 of the Deed Records of Harris County, Texas and the Northeast corner of Lot 9 of the Savings & Loan Company Subdivision as recorded in Volume 3 at Page 71 of the Map Records of Harris County, Texas. Said point being the Southeast corner of that certain 1.716 acres conveyed by Red Bluff Development Company to City of Seabrook by Deed dated August 2, 1972 and recorded under County Clerk's File No. D695743 of the Deed Records of Harris County, Texas and the Southeast corner of that certain 3.4196 acres surveyed this date and has a State Plane Coordinate Value of Y=13,779,255.94 and X=3,230,501.19.

THENCE: South 86°53'32" West along the South line of said 3.4196 acre tract, the South line of said Lots 18 and 17, the South line of said 1.716 acres, the South line of that certain 0.6887 of an acre conveyed by Red Bluff Development Company to City of Seabrook by Deed dated April 19, 1966 and recorded under County Clerk's File No. C401938 of the Deed Records of Harris County, Texas, the South line of that certain 1.000 acre tract of land conveyed by Red Bluff Development Company to City of Seabrook by Deed dated December 9, 1967 and recorded under County Clerk's File No. C828387 of the Deed Records of Harris County, Texas, the North line of said 2.245 acres, the North line of said Lot 9 and the North line of that certain called 9.00 acres conveyed by Texas Eastern Transmission Corporation to Texas Eastern Products Pipeline Company by Deed dated March 24, 1988 and recorded under County Clerk's File No. M537657 of the Official Public Records of Real Property of Harris County, Texas, for a distance of 513.02 feet to a 5/8 inch iron rod found for the Southwest corner of said

3.4196 acres, the Southwest corner of said 1.000 acre, the Southernmost Southeast corner of said 40.92 acres and the Southernmost Southeast corner and POINT OF BEGINNING of this tract. Said point has a State Plane Coordinate Value of Y=13,746,228.13 and X=3,229,988.98; from which a 3/4 inch iron rod (found) bears South 85°11'14" East 1.74 feet.

THENCE: Continue South 86°53'32" West along the Southernmost South line of this tract, the South line of said Lots 17, 16 and 15, the Southernmost South line of said 40.92 acres, the North line of said Lot 9, the North line of said called 9.00 acres, the North line of Lot 8 of said Savings & Loan Company Subdivision, the North line of that certain 6.6960 acres (Tract II) conveyed by JSK 2000 Family Partnership, Ltd., to Repsdorph Road, L.P. by Deed dated June 23, 2006 and recorded under County Clerk's File No. Z410139 of the Official Public Records of Real Property of Harris County, Texas and the North line of that certain 4.4742 acres conveyed by JSK 2000 Family Partnership, Ltd., to City of Seabrook, Texas by Deed dated March 2, 2006 and recorded under County Clerk's File No. Z173390 of the Official Public Records of Real Property of Harris County, Texas, for a distance of 689.30 feet to a 1/2 inch iron rod, with cap (BHA), set for the Southwest corner of this tract and the Southeast corner of that certain 1.0499 acres (Lakeside Drive Extension - 80 feet wide) described in Dedication Agreement between City of Seabrook, Texas and Seabrook Venture II dated October 21, 2010 and recorded under County Clerk's File No. 20100467859 of the Official Public Records of Real Property of Harris County, Texas. Said point being in a curve to the left, concave Westerly.

THENCE: Along and around said curve to the left, in a Northerly direction, along the West line of this tract and the East line of said 1.0499 acres, said curve having a radius of 2040.00, a central angle of 01°21'44" and a chord bearing and distance of North 05°29'45" West 48.50 feet, for an arc length of 48.50 feet to a 1/2 inch iron rod, with cap (BHA), set for the TERMINATION POINT of said curve and the BEGINNING POINT of another curve to the right, concave Easterly.

THENCE: Along and around said curve to the right, in a Northerly direction, along the West line of this tract and the East line of said 1.0499 acres, said curve having a radius of 560.00 feet, a central angle of 12°56'48" and a chord bearing and distance of North 00°17'47" East 126.27 feet, for an arc length of 126.54 feet to a 1/2 inch iron rod, with cap (BHA), set for the TERMINATION POINT of said curve.

THENCE: North 06°46'11" East along the West line of this tract and the East line of said 1.0499 acres for a distance of 103.73 feet to a 1/2 inch iron rod, with cap (BHA), set for the BEGINNING POINT of a curve to the left, concave Westerly.

EXHIBIT B

Permitted Uses

Accessory Building/uses (for all the following uses)

Alterations, clothing
Antique shops & dealers
Appliance dealers/rental
Auto parts & supplies
Bakers, retail
Banks or financial services
Barbers/beauty salons/day spa
Bicycle sales
Boat equipment & supplies
Book dealers, retail
Candy & confection, retail
Carpet & rug dealers
Child day care center
Church/place of worship
Cigar lounge
Cigar & tobacco shop
Clothing store
Coin dealers
Computer sales & service
Convenience stores (without fuel pumps)
Copy & duplicating services
Dance instruction
Department stores
Discount stores
Dry cleaners (pickup only)
Florists
Food store, specialty
Furniture dealers
Gasoline service stations / convenience stores
Hardware stores / Building materials sales
Health club
Janitorial services & supplies
Laundry, self-service
Liquor store
Mailbox rentals
Mailing service, bulk
Medical equipment and supplies
Motion picture theatre
Musical instrument dealers

Office, professional
Paint stores, retail
Pet shops (Indoor kennels only)
Pharmacies
Produce, retail
Public use (governmental)
Quick lube/oil change
Rental service store (no heavy equipment)
Restaurant equipment & supplies
Restaurants
Restaurants (delivery & pickup only)
Retail
Retail, light
Shopping centers
Swimming pool & spa sales & supplies
Theatre
Tire dealers and service
Veterinarians & animal hospitals (no outside kennels)

In addition to the foregoing, other similar uses are permitted, upon Owner request, subject to the City Manager making a good faith, written determination that another use not listed either i) is the functional equivalent of a listed use, or ii) has no greater impact on the City than a listed use. In such event, that use is permitted and a memorandum of the City Manager determination shall be recorded, referencing this Agreement.



***CITY
OF
SEABROOK***

**AGENDA
BRIEFING**

Date of Meeting: TUESDAY, JULY 1, 2014

Submitter/Requestor: Applicant

Date Submitted: 6/24/2014 12:36:07 PM

Presenter: Applicant

Description/Subject:

Consider and approve Developer Agreement between Starship Dixie Farm, LP and the City of Seabrook for certain performance standards and an incentive to waive all fees for the building permit(s) for the initial development of the project in an amount not to exceed \$20,000.

Purpose/Need: NA

Background/Issue(What prompted this need):

Starship Dixie Farm, LP owns a 20.3014 acre tract of land situated in the Ritson Morris Survey, Abstract 52, Harris County, Savings and Loan Company Subdivision, consisting of 7.5973 acres being out of and a part of Lots 7A and 7B, this property is located immediately west of the Repsdorph Traffic Circle, and is adjacent to the Seabrook city limits; 6.6960 acres being out of and a part of Lot 8, this property is located immediately east of the Repsdorph Traffic Circle, and north of Repsdorph Road; and 6.0081 acres being out of and a part of Lots 7A-1, 7B-1, and 8B, this property is located immediately south of the Repsdorph Traffic Circle, and north of Vermillion Road.

The owner has applied for a rezoning of these parcels and has submitted a Developer's agreement that outlines performance standards and an incentive request from the city.

The incentive is for a waiver of construction and development permits in an amount not to exceed \$20,000 and up to 24 months from the date of this Agreement.

Impacted Parties(Expected/Notified):

Miscellaneous Comments:

Attachments:

(Please list description of attachments and number of pages in each attachment)

Agreement

Fiscal Impact:	Budgeted	Yes	Finance	Officer
	Budget Amendment Required	Yes	Review:	
	Future/Ongoing Impact	Yes		
	Budget Dept/Line Item Number			

Funding Comments:

Where on the agenda should this item be placed?

New Business

Suggested Motion:

Agenda Language:

Consider/discuss Developer Agreement between Starship Dixie Farm, LP and the City of Seabrook for certain performance standards and an incentive to waive all fees for the building permit(s) for the initial development of the project in an amount not to exceed \$20,000.

City Manager Review:

(All items are to be reviewed and approved by the city manager, except items submitted by the mayor or any council member or routine consent agenda items such as minutes and second & third readings of ordinances)

(City Attorney should review all ordinances, resolutions, contracts and executive session items.)

AGREEMENT

This Agreement (the "Agreement") is made and entered into by and between STARSHIP DIXIE FARM, L.P. a Texas limited partnership, whose general partner is M-PROPERTIES, INC., (the "Company"), and the CITY OF SEABROOK, TEXAS (the "City"), a Texas home rule city, for the purposes and considerations stated below.

FACTUAL RECITALS AND FINDINGS:

WHEREAS, the Texas Department of Transportation ("TxDOT") is expanding State Highway 146 into a grade separated 6 lane highway with controlled access feeder roads through the City (the "146 Expansion"), resulting in the forced relocation of over 50 businesses in the City, and is materially and negatively impacting many other properties and businesses, as detailed in the Environmental Assessment for the 146 Expansion prepared by TxDOT and the US Dept. of Transportation dated April 2013. Such relocations and impacts are scheduled to commence in 2017; and

WHEREAS, the City risks losing substantial commercial property and sales tax revenues if the affected businesses relocate outside the City or are less successful due to the 146 Expansion; and

WHEREAS, the current relocation opportunities within the City are limited, which will result in businesses relocating outside the City; and

WHEREAS, the City has i) identified the Repsdorph Road/Lakeside Drive intersection, and the Traffic Circle at that intersection (the "Development Area") as an area for future mixed use development, and ii) expended significant funds for public infrastructure in that area; and

WHEREAS, the City established Neighborhood Empowerment Zone #2, by Resolution 2013-10, adopted on May 7, 2013 (the "Resolution"), which encompasses part of the Land, pursuant to Tx. Loc. Gov't Code Ch. 378 and the Incentive Policy, in which Resolution the Council finds that creation of the Neighborhood Empowerment Zone will:

- ☐ promote an increase in economic development in the zone;
- ☐ benefit and is for the public purpose of increasing the public health, safety, and welfare of the citizens of the City; and
- ☐ satisfy the requirements of Texas Tax Code Sections 312.202; and
- ☐ contribute to the retention or expansion of primary employment or to attract major investment in the neighborhood empowerment zone that would be a benefit to the Land.

WHEREAS, the potential negative impact of the 146 Expansion to the City is dramatic, such that the City established a Budget Stabilization Fund by Ord. 2011-22; and

WHEREAS, a commercial development project (“Project”) is an appropriate use for the Development Area to provide for relocating businesses and to provide for new, high quality goods and services providers needed by City residents; and

WHEREAS, the Company owns land in the Development Area bounded by Lakeside Drive on the west, 146/City water station on the east and Oak Ridge Meadows residential subdivision on the north, and as further described on Exhibit A attached hereto and incorporated herein (the “Land”) for the purpose of developing a Project thereon, and the Company has the experience and capability to develop such a Project; and

WHEREAS, the Land is currently zoned C-1, (“Commercial Light”) but according to the City Comprehensive Master Plat 2030 is appropriate for C-2 (“Commercial Medium”) commercial redevelopment under certain circumstances; and

WHEREAS, the Project must be initiated quickly in order to be ready by 2017, when businesses will be relocated by the 146 Expansion; and

WHEREAS, the City desires to implement economic development programs authorized by Texas law and approved by the City, including, but not limited to, those authorized by Chapters 378 and 380 of the Texas Local Government Code, consistent with the City Charter; and

WHEREAS, the City has determined that its economic development programs promote state and local economic development, stimulate business and commercial activity in the City, discourage the loss of existing businesses and jobs, increase sales and ad valorem taxes, promotes development and diversification of the economy, elimination of unemployment and underemployment, and expansion of commerce; and

WHEREAS, the Resolution establishes non-exclusive authority for the City to provide economic development incentives (the “Incentive Policy”) pursuant to the Land being located in the subject Neighborhood Empowerment Zone; and

WHEREAS, the City finds that the development of the Project by the Company in the City promotes local economic development and stimulates business and commercial activity within the City and would directly establish a public purpose, as contemplated above; and

WHEREAS, the City finds that the Project would not be developed in the City without the incentives set forth herein; and

WHEREAS, the City has the authority to enter into this Agreement based upon, among other authorization and its home rule powers, Texas Local Government Code Chapters 378 and 380;

NOW, THEREFORE, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENTS

SECTION 1 Authorization

This Agreement is authorized by law, including but not limited to, Sections 378 and 380 of the Texas Local Government Code and is within the authority of the City under the City Charter and related law.

SECTION 2 Factual Recitals and Findings

The factual recitals and findings set forth above are found to be true and correct for all purposes, and incorporated into the body of this Agreement. The City and Company have each relied upon the truth of the recitals in entering into this Agreement and proceeding to develop the Project.

SECTION 3 Effective Date/Term

This Agreement shall be effective as of the date of execution by both parties (the “Effective Date”). This Agreement shall remain in full force and effect until the City and the Company have completed their respective obligations hereunder or has been earlier terminated by the parties in writing (the “Term”). Should the primary building on the Land be razed (leaving only pad sites with buildings), then this Agreement shall terminate and the parties shall execute and record a memorandum of termination.

SECTION 4 City Obligations

4.1 Permits. The City will expedite all construction and development permits for the Project such that all permits will be issued within 21 days of submission of proper plans and specifications in compliance with applicable codes and ordinances, provided any permit may be issued contingent on final plat approval.

4.2 Fees. The City agrees to waive all fees for the building permit(s) for the initial development and improvements to the Project. This waiver shall apply to building, plumbing and electrical work for permits sought up to 24 months from the date of this Agreement in an amount not to exceed \$20,000.

SECTION 5 Company Obligations

The Project shall comply with the following performance standards:

- a. *Special Landscape Area*: Any area within 50’ of contiguous and adjoining R-1 zoned properties located in the City shall meet the following standards:

- Pervious, landscaped area
 - No drives or parking
 - No commercial or retail use
 - Irrigated
 - Maintained by the owner thereof in good order, appropriated trimmed and clear of trash/debris.
- b. *Special Screening/Buffering:* Along the boundary with contiguous and adjoining R-1 zoned properties located in the City, the following requirements shall apply-
- 8' masonry wall without openings
 - Trees no shorter than 8' tall and in a quantity of no less than one tree per four feet of boundary wall shall be planted, maintained, and replaced as required. The layout shall be approved by the City Planning Director at the time of plan approval for the Project. The trees shall be appropriately irrigated.
- c. *Special Setbacks for Certain Uses:* The following uses must be setback 75' from the following distances from contiguous and adjoining R-1 zoned properties located in the City:
- Loading Dock
 - Trash Dumpsters
 - Open Storage.
- d. *Uses Permitted:* The Project may include only the uses shown in the Permitted Uses on Exhibit B attached and made a part hereof for all purposes.

SECTION 6

Default and Recapture

6.1 Termination. This Agreement may be terminated if Company refuses, fails or neglects to substantially comply with any of the terms of this Agreement or, if any representation made by the Company is false or misleading in any material aspect. Termination of this Agreement may be effected if any such default is not cured within thirty (30) days after written notice by the City to Company.

6.2 Recapture. If the City terminates this Agreement as a result of default by Company, then the waiver of permit fees, as provided in paragraph 4.2, will be immediately abolished and waived. The City shall have the right to recapture all waived permits and inspections fees, as provided in Section 6.3 below.

6.3 Bill for Fees. In the event of termination, a bill for the total amounts due will be sent to Company, and Company hereby agrees to pay the total amounts due within sixty (60) days after receipt of the bill. Statutory penalties interest and attorneys fees will accrue if Company fails to timely pay the bill. Nothing in this Agreement shall preclude Company from disputing the bill.

SECTION 7 Mutual Assistance

The parties shall do all things reasonably necessary or appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out such terms and provisions. The City shall, in a form prepared by Company, upon thirty (30) days advance written notice and limited to once each calendar year, execute a certificate addressed to the Company, a lender to the Company or a potential purchaser of the Project or the Land (or a portion thereof) or the Company stating whether this Agreement is in full force and effect, stating whether the Agreement is currently valid and enforceable, specifying that there are no defaults hereunder (or if a default exists, delineating default and the requirements to cure the default).

SECTION 8 Representations and Warranties

The City represents and warrants to the Company to the best of its belief that the Program and this Agreement are within the scope of its authority and the provisions of the City's charter and that it is duly authorized and empowered to establish the Program and enter into this Agreement. The City agrees, to the extent provided by law, not to challenge this Agreement or the City's authority to enter into or perform this Agreement, whether directly or indirectly. The Company represents and warrants to the City that it has the requisite authority to enter into this Agreement. The Parties recognize that they each have relied upon the validity and enforceability of this Agreement in selecting the Land for the Project and would not have made that decision, but for the benefits of this Agreement.

SECTION 9 Hold Harmless and Indemnification

The Company agrees to protect, defend, hold harmless and indemnify the City, any member of its government body, its officers, employees and agents, from and against any and all claims, actions, liabilities and damages brought by third parties actually suffered by a person or persons and actually arising out of this Agreement due to the actions of the Company.

SECTION 10 Section or Other Headings

Section or other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

SECTION 11 Attorneys' Fees

In the event any legal action or proceeding is commenced to enforce or interpret provisions of this Agreement, the prevailing party in any such legal action shall be entitled to recover its reasonable attorneys' fees and expenses incurred by reason of such action.

SECTION 12
Entire Agreement

This Agreement contains the entire agreement between the parties with respect to the transaction contemplated herein.

SECTION 13
Amendment

This Agreement may only be amended or altered by written instrument signed by the parties.

SECTION 14
Successors and Assigns

This Agreement shall be binding on and inure to the benefit of the parties, their respective successors and assigns. The Company may assign all or part of its rights and obligations hereunder only upon prior written approval of the City, which approval shall not be unreasonably withheld or delayed. However, the Company may transfer or assign its rights or obligations hereunder to (i) any entity which is an affiliate (specifically including a direct or indirect parent or subsidiary) of the Company, so long as the Company shall remain responsible and obligated to the City for the performance of its obligations under this Agreement, (ii) any purchaser of a portion of the Land, or (iii) any purchaser of the Project. Each such party shall assume the obligations hereunder, as to the portion of the Land acquired, whereupon the Company shall be released from future liability.

SECTION 15
Notice

Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified mail with return receipt requested, postage prepaid, or upon receipt by nationally recognized overnight courier, addressed to the appropriate party at the following addresses, or at such other addresses provided by the parties by notice under this Section:

COMPANY: Starship Dixie Farm, L.P.
 Attn: President
 PO Box 973
 Seabrook, TX 77586

With copies to: Creighton, Fox, Johnson & Mills, PLLC
 Attn: Lance Fox
 3535 Calder, Suite 310
 Beaumont, Texas 77706

CITY: City of Seabrook, Texas
Attention: City Manager
1700 First Street
Seabrook, Texas 77586

With copies to: Ross, Banks, May, Cron & Cavin, P.C.
Attn: Steven L. Weathered, City Attorney
2 Riverway, Suite 700
Houston, Texas, 77056

SECTION 16
Interpretation

Regardless of the actual drafter of this Agreement, this Agreement shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against any party.

SECTION 17
Applicable Law

This Agreement is made, and shall be construed and interpreted under the laws of the State of Texas, and venue shall exclusively lie in state courts located in Harris County, Texas.

SECTION 18
Counterparts

This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which shall constitute one instrument.

SECTION 19
Time of Essence

Time is of the essence in the performance of this Agreement.

SECTION 20
Severability

If a portion of this Agreement is deemed or declared invalid, then the remaining provisions shall continue in effect.

SECTION 21
Recording

At the City's option, a memorandum of this Agreement may be filed in the real property records, which may recite the restrictions set forth in Section 6 as restrictive covenants enforceable by the City against the Land. Such memorandum may be filed by the City at any time.

EXECUTED this _____ day of July, 2014.

CITY OF SEABROOK, TEXAS

NAME: Glenn Royal
TITLE: Mayor

APPROVED AS TO
FORM:

CITY ATTORNEY

STARSHIP DIXIE FARM, L.P.,
a Texas limited partnership

By: M-PROPERTIES, INC.
It's General Partner

By: Scott Monroe
Title: President

STATE OF TEXAS §
COUNTY OF HARRIS §

Before me, _____, a notary public on this day personally appeared Glenn Royal, known to me to be the person whose name is subscribed to the foregoing instrument, and known to me to be the Mayor of the CITY OF SEABROOK, TEXAS, a municipal corporation, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said city.

Given under my hand and official seal this ____ day of July, 2014.

My commission expires: _____
Notary Public

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared, Scott Monroe, President of M-PROPERTIES, INC., the General Partner of STARSHIP DIXIE FARM, L.P., a Texas partnership, who after each being by me first duly sworn, on oath acknowledged to me that in his capacity as President of M-PROPERTIES, INC., and he has full authority to execute this instrument in behalf of said corporation and partnership, in the capacities therein stated for the purposes and consideration therein expressed, and as the act of said company.

Given under my hand and official seal this _____ day of _____, 2014.

My commission expires: _____
Notary Public

EXHIBIT A
Description of the Land

EXHIBIT B

Permitted Uses

Accessory Building/uses (for all the following uses)

Alterations, clothing
Antique shops & dealers
Appliance dealers/rental
Auto parts & supplies
Bakers, retail
Banks or financial services
Barbers/beauty salons/day spa
Bicycle sales
Boat equipment & supplies
Book dealers, retail
Candy & confection, retail
Carpet & rug dealers
Child day care center
Church/place of worship
Cigar lounge
Cigar & tobacco shop
Clothing store
Coin dealers
Computer sales & service
Convenience stores (without fuel pumps)
Copy & duplicating services
Dance instruction
Department stores
Discount stores
Dry cleaners (pickup only)
Florists
Food store, specialty
Furniture dealers
Gasoline service stations / convenience stores
Hardware stores / Building materials sales
Health club
Janitorial services & supplies
Laundry, self-service
Liquor store
Mailbox rentals
Mailing service, bulk
Medical equipment and supplies
Motion picture theatre
Musical instrument dealers
Office, professional
Paint stores, retail
Pet shops (Indoor kennels only)

Development Agreement Starship Dixie Farm LF slw 062614

Pharmacies
Produce, retail
Public use (governmental)
Quick lube/oil change
Rental service store (no heavy equipment)
Restaurant equipment & supplies
Restaurants
Restaurants (delivery & pickup only)
Retail
Retail, light
Shopping centers
Swimming pool & spa sales & supplies
Theatre
Tire dealers and service
Veterinarians & animal hospitals (no outside kennels)

In addition to the foregoing, other similar uses are permitted, upon Owner request, subject to the City Manager making a good faith, written determination that another use not listed either i) is the functional equivalent of a listed use, or ii) has no greater impact on the City than a listed use. In such event, that use is permitted and a memorandum of the City Manager determination shall be recorded, referencing this Agreement.

ACTION ITEM CHECK LIST STATUS

#	STATUS	DATE ASSIGNED	NEXT REVIEW DATE	PROPOSED CLOSURE DATE	RESPONSIBLE ORGANIZATION	City Council RESPONSIBILITY	PLANNING OBJECTIVE #	AGENDA ITEM NUMBER	DESCRIPTION OF ACTION ITEM	STATUS AND DATE
19	OPEN/IN WORK	8/20/2013			City Manager			4.5	Coordinate and lead project to attempt to have Surf Oaks Drive dedicated to allow Precinct 2 to repave.	Consideration of approval on 6/17/14 agenda.
23	OPEN/IN WORK	12/3/2013			Mayor/ City Mgr.			5.1	Provide periodic updates on TxDOT's progress to improve/widen SH 146.	Met with TxDOT on 6/6.
25	OPEN/IN WORK	1/21/2014			Council			5.1	Appointments to Charter Review & Master Plan Review Commission in 07/14.	Reminder to Council to begin looking for candidates.
26	OPEN/IN WORK	1/21/2014			City Manager & TxDOT			4.3	Determine if Option 1 is enforceable concerning left hand turns on SH 146 and write a letter to TxDOT asking for assistance in funding.	Option 2 selected as Option 1 not enforceable. On 3/4/14 Ms. Cook reported that TxDOT did not like Option 2 (delineators) due to maintenance costs; TxDOT considering whether to install curbs to prevent left turns. As of 6/3/14, TxDOT has now decided to install delineators in July and will pay for them.

July 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		<i>1</i> Council	<i>2</i>	<i>3</i> Open Space	<i>4</i> Kids' Parade Meador Park	<i>5</i>
<i>6</i>	<i>7</i>	<i>8</i> Budget Workshop	<i>9</i>	<i>10</i> EDC	<i>11</i>	<i>12</i>
<i>13</i>	<i>14</i>	<i>15</i> Council	<i>16</i>	<i>17</i> P&Z	<i>18</i>	<i>19</i>
<i>20</i>	<i>21</i>	<i>22</i> Budget Workshop	<i>23</i>	<i>24</i> Town Hall Meeting Robinson Elementary	<i>25</i>	<i>26</i>
<i>27</i>	<i>28</i>	<i>29</i>	<i>30</i>	<i>31</i>		