

Mayor Todd Kana
Daniel Miller, Position 1
Matthew Dantzer, Position 2
Richard Carby, Mayor Pro Tem, Position 3
Brenda Hoppe, Position 4
Jack L. Huitt Jr., Position 5

Don Doering, City Administrator
Kandice Garrett, City Secretary
Leonard Schneider, City Attorney
Kyle Montgomery, Police Chief
Beverly Standley, Finance/HR Administrator
Mike Kurzy, AEI Engineering



NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL

AGENDA

BUDGET WORKSHOP SESSION - TUESDAY, JULY 12, 2022 – 5:30 P.M.
PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 12, 2022 – 7:00 P.M.
Sewall Smith Council Chambers
18111 Buddy Riley Boulevard, Magnolia, Texas 77354

WORKSHOP SESSION AGENDA

- 1. CALL WORKSHOP SESSION TO ORDER**
 - 2. ROLL CALL AND CERTIFICATION OF QUORUM**
 - 3. BUDGET WORKSHOP SESSION**
 - a. Discuss the Budget for Fiscal Year 2022-2023 and provide any modifications.
 - b. Discuss 2022 Tax Rate.
 - 4. ADJOURN WORKSHOP SESSION**
-

PUBLIC HEARING AND REGULAR MEETING AGENDA

- 5. CALL MEETING TO ORDER**
 - a. INVOCATION
 - b. PLEDGE OF ALLEGIANCE
 - c. ROLL CALL AND CERTIFICATION OF A QUORUM
 - 6. CITIZENS COMMENTS, REQUESTS OR PETITIONS FROM THE PUBLIC**

(This agenda item provides an opportunity for citizens to address the City Council on any matter not on the agenda). Comments shall be limited to three (3) minutes per person. Comments by the governing body shall be limited to:

 - a. *Statements of specific factual information given in response to an inquiry;*
 - b. *A recitation of existing policy in response to an inquiry;*
 - c. *A proposal to place the subject on a future agenda.*
 - 7. OPEN PUBLIC HEARING**
-

NOTICE OF PUBLIC HEARING

On July 12, 2022 at 7 pm., City of Magnolia City Council will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 to Suburban Village.

8. CLOSE PUBLIC HEARING

9. ADJOURN PUBLIC HEARINGS AND CONVENE OPEN REGULAR MEETING

10. CONSENT AGENDA

(This portion of the agenda consists of items considered routine and will be enacted by one motion unless separate discussion is requested by a member of the City Council or a citizen. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)

a. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the Joint Public Hearing with City Council and Planning & Zoning Commission and Regular City Council Meeting held June 14, 2022.

11. CONSIDERATION – REZONING TO THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR SM DADA ENTERPRISES, LLC (Mayor Todd Kana)

Consideration and possible action to review and approve rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 (NC 2) to Suburban Village (SV).

12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES, SECTION 6A, FINAL PLAT, +/-30.239 ACRES (Mayor Todd Kana)

13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES, SECTION 6B, FINAL PLAT, +/-8.706 ACRES (Mayor Todd Kana)

14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES, SECTION 6C, FINAL PLAT, +/-13.110 ACRES (Mayor Todd Kana)

15. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE MAGNOLIA PLACE SECTION 1, PARTIAL REPLAT OF RESERVE A NO. 1, +/-1.184 ACRES** (Mayor Todd Kana)
16. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE CHAPTER 82 VARIANCE REQUEST TO ALLOW 45-FOOT LOT WIDTHS FOR RESIDENTIAL DEVELOPMENT IN MAGNOLIA EAST (PLACE)** (Mayor Todd Kana)
17. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 2 FOR BALLAST POINT FOR THE MAGNOLIA CDBG - DR NO. 19-076-015-B364**
(Mayor Todd Kana)
18. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE CITY OF MAGNOLIA FINANCIAL POLICIES AND PROCEDURES (CDBG)** (Mayor Todd Kana)
19. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE CITY OF MAGNOLIA PROCUREMENT POLICIES AND PROCEDURES (CDBG)** (Mayor Todd Kana)
20. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. R-2022-025 ALLOCATING LOCAL FUNDS TOWARDS THE NICHOLS SAWMILL PHASE NO. 2 SEWER IMPROVEMENTS PROJECT** (Mayor Todd Kana)
Consideration and possible action to adopt:

RESOLUTION NO. R-2022-025
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA
COMMITTING LOCAL FUNDS FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROJECT WITH THE
GENERAL LAND OFFICE (GLO), STATE CONTRACT NO. 19-076-015-B364
21. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AEI ENGINEERING CHANGE ORDER NO. 1 FOR WATER PLANT NO. 3 CLEARING AND GRUBBING** (Mayor Todd Kana)
22. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AEI ENGINEERING WORK ORDER NO. 22-007 FOR CREATING AN UPDATED BOUNDARY MAP OF THE CITY LIMITS AND ETJ TO INCLUDE ZONING INFORMATION** (Mayor Todd Kana)
23. **DISCUSSION AND TAKE ACTION TO FILL THE REMAINING TERM OF POSITION 7 FOR THE MAGNOLIA 4B COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS** (Mayor Todd Kana)
24. **CONSIDERATION – APPROVE RESOLUTION NO. R-2022-026 MONTGOMERY COUNTY EMERGENCY COMMUNICATIONS DISTRICT BUDGET FOR FISCAL YEAR 2023**

(Mayor Todd Kana)

Consideration and possible action to adopt:

RESOLUTION NO. R-2022-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MAGNOLIA, TEXAS, APPROVING THE MONTGOMERY COUNTY
EMERGENCY COMMUNICATION DISTRICT BUDGET FOR FISCAL
YEAR 2023

25. CONSIDERATION – MONTGOMERY COUNTY EMERGENCY COMMUNICATION DISTRICT NOMINATION (Mayor Todd Kana)

Consideration and possible action to make nomination to the 9-1-1 Board of Managers to serve the two-year term currently held by Richard Tramm from October 1, 2022 to September 30, 2024.

26. CLOSED EXECUTIVE SESSION

The City Council of the City of Magnolia, Texas, reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below as authorized by Title 5, Chapter 551, of the Texas Government Code. §551.071(Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), §551.086 (Deliberations about competitive matters), and §551.087 (Deliberation about Economic Development Matters.)

The City Council may enter into executive session under Texas Government Code Section 551.071 to consult and receive legal advice from its attorneys regarding the following contracts with Audubon Magnolia Development LLC and any amendment thereto: Wholesale Water Supply and Sanitary Sewer Agreement and the Land Use Planning and Cooperation Agreement.

27. RECONVENE into regular session and consider action, if any, on item(s) discussed in executive session.

28. ADMINISTRATION - DEPARTMENT REPORTS

ACTIVITIES/ UPDATES/ ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST

- a. POLICE DEPARTMENT (Chief of Police, Kyle Montgomery)
- b. PUBLIC WORKS DEPARTMENT (Don Doering)
- c. ADMINISTRATION DEPARTMENT (City Administrator, Don Doering)

29. ADJOURN

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 – consultation with counsel on legal matters; Section 551.072 – deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 – deliberation regarding a prospective gift; Section 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 – implementation of security personnel or devices; Section 551.086 – deliberation regarding competitive matters of a public power utility ; Section 551.087 – deliberation regarding economic development negotiation; and/or other matters as authorized under Texas Government

Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office at (281-305-0550), two working days prior to the meeting for appropriate arrangements.

CERTIFICATE

I certify that a copy of the *Notice of Meeting* was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofmagnolia.com, in compliance with Chapter 551, Texas Government Code.

DATE

TIME

TAKEN DOWN

Kandice Garrett, City Secretary



Hearst Newspapers, LLC Order Confirmation

<u>Ad Order Number</u>	<u>Customer</u>	<u>Payer Customer</u>	<u>PO Number</u>
0034205580	CITY OF MAGNOLIA	CITY OF MAGNOLIA	
<u>Sales Rep.</u>	<u>Customer Account</u>	<u>Payer Account</u>	<u>Ordered By</u>
0630-HOU	20017370	20017370	Tana Ross
<u>Order Taker</u>	<u>Customer Address</u>	<u>Payer Address</u>	<u>Customer Fax</u>
jvega	18111 BUDDY RILEY BLVD MAGNOLIA TX 773545864 USA	18111 BUDDY RILEY BLVD MAGNOLIA TX 773545864 USA	
<u>Order Source</u>	<u>Customer Phone</u>	<u>Payer Phone</u>	<u>Customer EMail</u>
Rep	2813562266	2813562266	
			<u>Special Pricing</u>

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>
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Invoice Text

Zoning Map for 0.9183 acres

Ad Order Notes

<u>Gross Amount</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
76.24	\$83.00	\$0.00	\$83.00	Credit Card Pymt	\$0.00	\$83.00

<u>Ad Number</u>	<u>Ad Type</u>	<u>Production Method</u>	<u>Production Notes</u>
0034205580-01	Legal	AdBooker	

<u>External Ad Number</u>	<u>Ad Attributes</u>	<u>Ad Released</u>	<u>Pick Up</u>
		No	

<u>Ad Size</u>	<u>Color</u>
2 X 10 li	

NOTICE OF PUBLIC HEARING

On July 12, 2022 at 7 pm., City of Magnolia City Council will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 to Suburban Village.

<u>Product</u>	<u>Placement</u>	<u>Position</u>	<u>First Run Date</u>	<u>Last Run Date</u>
HCN Conroe Courier	Legals	Legal Notices	Monday, June 27, 2022	Monday, June 27, 2022
HOU Online	Legals	Legal Notices	Monday, June 27, 2022	Monday, June 27, 2022

Mayor Todd Kana
Daniel Miller, Position 1
Matthew Dantzer, Position 2
Richard Carby, Mayor Pro Tem / Position 3
Brenda Hoppe, Position 4
Jack L Huitt, Jr., Position 5



Don Doering, City Administrator
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Leonard Schneider, City Attorney
Kyle Montgomery, Police Chief
Beverly Standley, Finance/HR Administrator
Tana Ross, Planning Consultant
Mike Kurzy, AEI Engineering

**MINUTES OF THE JOINT PUBLIC HEARING
WITH CITY COUNCIL AND PLANNING &
ZONING COMMISSION AND REGULAR CITY
COUNCIL MEETING OF THE CITY COUNCIL
OF THE CITY OF MAGNOLIA
JUNE 14, 2022**

A meeting of the City Council was held on this date, June 14, 2022, beginning at 6:30 p.m. in the Sewall Smith Council Chambers, 18111 Buddy Riley Boulevard, Magnolia, Texas 77354.

1. CALL MEETING TO ORDER

Mayor Todd Kana convened the meeting at 6:30 p.m.

a. INVOCATION

Councilmember Dantzer delivered the invocation.

b. PLEDGE OF ALLEGIANCE

Mayor Todd Kana led the Pledge of Allegiance to the U.S.A. and Texas flags.

c. ROLL CALL AND CERTIFICATION OF QUORUM

Mayor Todd Kana called roll, certified that a quorum was present with the following Council members in attendance: Todd Kana, Daniel Miller, Matthew Dantzer, Brenda Hoppe and Jack L Huitt Jr.

Absent: Richard Carby

Chairman Shelburne called roll for the Planning & Zoning Commission members and declared a quorum present with the following members in attendance: Scott Shelburne, Anne Sundquist, Trevor Brown, and Holly Knee.

Absent: Josh Jakubik, Tom Mayhew, and Robert Franklin

Staff present: City Administrator Don Doering, City Secretary Kandice Garrett, Planning Consultant Tana Ross, and Planning Coordinator Christian Gable

2. **PUBLIC COMMENTS** *(Generally limited to three minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*

None

3. **OPEN JOINT PUBLIC HEARING WITH CITY COUNCIL AND PLANNING & ZONING COMMISSION FOR CONDITIONAL USE PERMIT**

Mayor Todd Kana opened the Joint Public Hearing at 6:32 p.m.

NOTICE OF PUBLIC HEARING

On June 14, 2022 at 6:00 p.m. City of Magnolia Planning and Zoning Commission and City Council will hold a joint public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard, and to discuss:

- Conditional Use Permit for Magnolia ISD Williams Elementary School at 18101 FM 1488 concerning use of preconstructed buildings in a nonresidential, Public Use (PU) zoned district.

Mayor Kana read aloud the Notice of Public Hearing.

Planning & Zoning Chairman Scott Shelburne provided an overview of the item and recommendation for approval.

Tim Bruner, Executive Director of Facilities for Magnolia ISD, addressed the Council and provided additional information.

4. **CLOSE JOINT PUBLIC HEARING WITH CITY COUNCIL AND PLANNING & ZONING COMMISSION AND CONVENE JOINT OPEN MEETING WITH CITY COUNCIL AND PLANNING & ZONING COMMISSION**

Mayor Todd Kana closed the Joint Public Hearing and convened the Joint Open Meeting at 6:33 p.m.

5. **CONSIDERATION AND POSSIBLE ACTION BY PLANNING & ZONING COMMISSION REGARDING CONDITIONAL USE PERMIT FOR MAGNOLIA ISD WILLIAMS ELEMENTARY SCHOOL AT 18101 FM 1488**

MOTION: Upon a motion to approve the Conditional Use Permit for Magnolia ISD Williams Elementary School at 18101 FM 1488 made by Trevor Brown and seconded by Anne Sundquist, the Commission members present voted and the motion carried unanimously, 4-0.

6. **ADJOURN JOINT PUBLIC HEARING WITH CITY COUNCIL AND PLANNING & ZONING COMMISSION AND RECONVENE OPEN REGULAR CITY COUNCIL MEETING**

Mayor Todd Kana closed the Joint Public Hearing at 6:45 p.m. and convened the Joint Open Meeting at 7:00 p.m.

REGULAR CITY COUNCIL MEETING

Mayor Kana opened up the Regular meeting at 7:00 PM and asked for any persons wanting to speak on public comments not associated with agenda items. There were no speakers.

7. **OPEN PUBLIC HEARING ON UDC TEXT AMENDMENTS**

Mayor Todd Kana opened the Public Hearing at 7:01 p.m.

NOTICE OF PUBLIC HEARING

On June 14, 2022 at 7 pm Magnolia City Council will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard, and to discuss the following text amendments to the City of Magnolia Unified Development Code and rezonings to the City of Magnolia Official Zoning Map:

- Chapter 2 - Zoning Districts and Land Uses, Table 2-2-1.02 Land Uses concerning 1) alcohol sales, offsite consumption in a Suburban Village district, and; 2) light industry in a Business Park district.

Mayor Kana read aloud the Notice of Public Hearing.

Marcy Parker, 31602 Hanks Rd., Magnolia, TX 77355 spoke in opposition to this item.

Frank Parker, 31602 Hanks Rd., Magnolia, TX 77355 spoke in opposition to this item.

Cathy Yowell, 215 Dogwood Trail, Magnolia, TX 77354 spoke in opposition to this item.

Stacy Anzick, 19702 Sapphire Cir., Magnolia, TX 77355 spoke in opposition to this item.

John Bramlett, 223 Amarillo Dr., Magnolia, TX 773 spoke in opposition to this item.

8. **CLOSE PUBLIC HEARING**

Mayor Kana closed the Public Hearing at 7:15 p.m.

9. **ADJOURN PUBLIC HEARING AND CONVENE OPEN REGULAR MEETING**

Mayor Todd Kana closed the Public Hearing and convened the Regular Meeting at 7:15 p.m.

10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CONDITIONAL USE PERMIT FOR MAGNOLIA ISD PLACEMENT OF TWO PRECONSTRUCTED, PORTABLE BUILDINGS AT 18101 FM 1488, WILLIAMS ELEMENTARY SCHOOL CAMPUS

MOTION: Upon a motion to approve the Conditional Use Permit for Magnolia ISD Placement of two preconstructed, portable buildings at 18101 FM 1488, Williams Elementary School Campus made by Councilmember Dantzer and seconded by Councilmember Miller, the Councilmembers voted, and the motion carried unanimously, 4-0.

11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE UDC TEXT AMENDMENT FOR ALCOHOL SALES, BOTH ON PREMISE AND OFF PREMISE CONSUMPTION IN SUBURBAN VILLAGE DISTRICTS BY ADOPTION OF ORDINANCE NO. O-2022-018
Consideration and possible action to adopt:

ORDINANCE NO. O-2022-018
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AMENDING CHAPTER 2 OF THE UNIFIED DEVELOPMENT CODE REGARDING ALCOHOL SALES IN SUBURBAN VILLAGE DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR OTHER PROVISIONS

Marcy Parker requested Councilmembers speak in the open meeting regarding their opinions on this matter. A motion and a second was made to open up discussion. Councilmember Hoppe, Councilmember Dantzer and Mayor Kana spoke regarding this item. Police Chief Montgomery was asked a question and provided input.

MOTION: Upon a motion to approve Ordinance No. O-2022-018 made by Councilmember Dantzer and seconded by Councilmember Hoppe, the Councilmembers voted, and the motion carried unanimously, 4-0.

12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE UDC TEXT AMENDMENT FOR LIGHT INDUSTRY USE IN BUSINESS PARK DISTRICTS BY ADOPTION OF ORDINANCE NO. O-2022-019
Consideration and possible action to adopt:

ORDINANCE NO. O-2022-019
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AMENDING CHAPTER 2 OF THE UNIFIED DEVELOPMENT CODE REGARDING CONDITIONAL USE OF LIGHT INDUSTRY IN BUSINESS PARK DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR OTHER PROVISIONS

City Administrator Don Doering presented this item and informed Council that staff recommends approval.

MOTION: Upon a motion to approve Ordinance No. O-2022-019 made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 4-0.

13. PROCLAMATIONS AND SPECIAL RECOGNITIONS (Mayor Todd Kana)
Presentation to Public Works by Anne Sundquist

Magnolia Festival Committee Chair Anne Sundquist presented special thanks to Public Works Director Burt Smith and Park Manager Jason Daniel for their outstanding support and service in helping to create a successful event at the Magnolia BBQ Cookoff in April. She also acknowledged others who contributed their time to the event and noted that J Tech Mechanical and PT Welding donated the trophies which were handmade by PT Welding and will be displayed by Public Works.

14. CONSENT AGENDA

(This portion of the agenda consists of items considered routine and will be enacted by one motion unless separate discussion is requested by a member of the City Council or a citizen. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)

a. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the Joint Public Hearing with City Council and Planning & Zoning Commission and Regular City Council Meeting held May 10, 2022.

b. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the Special City Council Meeting held May 17, 2022.

MOTION: Upon a motion to approve the Consent Agenda made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 4-0.

15. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2022-020 EPCOR VARIANCE REQUEST TO BILL AD VALOREM TAX (Mayor Todd Kana)
Consideration and possible action to adopt:

ORDINANCE NO. O-2022-020

AN ORDINANCE BY THE CITY OF MAGNOLIA, TEXAS, APPROVING THE BILLING VARIANCE REQUEST OF EPCOR GAS TEXAS INC. FILED ON JUNE 2, 2022; REQUIRING EPCOR GAS TEXAS, INC. TO PROVIDE AN UPDATED TARIFF AND OTHER FILINGS IN COMPLIANCE WITH THE APPROVED VARIANCE; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING

OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT;
AND DECLARING AN EFFECTIVE DATE

City Attorney Leonard Schneider presented this item and explained EPCOR's intent is to recover over a 5-month period instead of 1 month to spread out the cost and the documents were reviewed by the Lawton Law firm.

MOTION: Upon a motion to approve Ordinance No. O-2022-020 made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 4-0.

16. CONSIDERATION – ACCEPT AND APPROVE PETITION FOR CONSENT TO ANNEXATION OF 151.741 ACRES BY FORESTAR (USA) REAL ESTATE GROUP, INC INTO MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 174 BY ADOPTING RESOLUTION NO. R-2022-022 (Mayor Todd Kana)

Consideration and possible action to adopt:

RESOLUTION NO. R-2022-022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS, CONSENTING TO THE ANNEXATION OF 151.741 ACRES INTO MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 174

City Attorney Leonard Schneider stated he had no objection to the petition or the resolution. Christina Miller, Attorney for the MUD 174 was present to answer any questions and noted the annexation is by Magnolia Escondido and not Forestar.

MOTION: Upon a motion to approve Resolution No. R-2022-022 with the correction that the annexation is by Magnolia Escondido and not Forestar made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 4-0.

17. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON THE PROPOSED CHAPTER 380 MAGNOLIA VILLAGE ECONOMIC DEVELOPMENT AGREEMENT WITH GC MAGNOLIA, LP (Mayor Todd Kana)

City Attorney Leonard Schneider presented this item and stated that he had no objection to the final agreement. Christina Miller added further explanation on this item. There was further discussion.

MOTION: Upon a motion to approve proposed Chapter 380 Magnolia Village Economic Development Agreement with GC Magnolia, LP made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 4-0.

18. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2022-021 REGARDING UNIGAS FILING IN MAY 2022 (Mayor Todd Kana)

Consideration and possible action to adopt:

ORDINANCE NO. O-2022-021

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, SUSPENDING THE RATES PROPOSED BY UNIVERSAL NATURAL GAS, LLC D/B/A UNIVERSAL NATURAL GAS, INC.'S GAS RELIABILITY INFRASTRUCTURE PROGRAM FILING MADE WITH THE CITY ON OR ABOUT MAY 2, 2022; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE

City Attorney Leonard Schneider presented this item and provided a brief review and recommendation for approval.

MOTION: Upon a motion to approve Ordinance No. O-2022-021 made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 4-0.

19. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. R-2022-023 REPLACING R-2022-019 TO DESIGNATE AUTHORIZED SIGNATORIES FOR THE 2021 TEXAS CDBG PROGRAM, GRANT AGREEMENT NUMBER CDV21-0209** (Mayor Todd Kana)

Consideration and possible action to adopt:

RESOLUTION NO. R-2022-023

A RESOLUTION BY THE CITY COUNCIL OF CITY OF MAGNOLIA DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) GRANT AGREEMENT NUMBER CDV21-0209

City Administrator Don Doering presented this item and explained upon a technicality with a signature being obtained after the last passing of the resolution the City is being asked to repass the resolution. This is for the \$350,000 CDBG Block Grant.

MOTION: Upon a motion to approve Resolution No. R-2022-023 made by Councilmember Hoppe and seconded by Councilmember Miller, the Councilmembers voted, and the motion carried unanimously, 4-0.

20. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. R-2022-024 REPLACING R-2022-020 ADOPTING REQUIRED CDBG CIVIL RIGHTS POLICIES** (Mayor Todd Kana)

Consideration and possible action to adopt:

RESOLUTION NO. R-2022-024

Resolution Regarding Civil Rights
The City of Magnolia, Texas

MOTION: Upon a motion to approve the Resolution No. R-2022-024 made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 4-0.

21. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO GIVE 30-DAY NOTICE TO TERMINATE ALL AGREEMENTS, CONTRACTS, AMENDMENTS, AND WORK ORDERS BETWEEN THE CITY OF MAGNOLIA AND STRAND ASSOCIATES, INC.**
(Mayor Todd Kana)

City Administrator Don Doering presented this item and noted the only project Strand is currently working on is to start up the new Wastewater Treatment Plant and with delays for CenterPoint to install electricity Strand continues to bill the City. Don is asking Council to stop all outstanding task orders with Strand. City Attorney Leonard Schneider conceded that the 30-day notice does comply with contractual terms.

MOTION: Upon a motion to give 30-day notice to terminate all agreements, contracts, amendments, and work orders between the City of Magnolia and Strand Associates, Inc. made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 4-0.

22. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE AEI ENGINEERING SERVICES WORK ORDER 22-006 FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR WASTEWATER TREATMENT PLANT EXPANSION NOT TO EXCEED \$27,000** (Mayor Todd Kana)

City Administrator Don Doering recommended approval to Council. City Engineer Mike Kurzy was present to answer any questions.

MOTION: Upon a motion to approve AEI Engineering Services Work Order 22-006 for Construction Management and Inspection Services for Wastewater Treatment Plant Expansion not to exceed \$27,000 made by Councilmember Hoppe and seconded by Councilmember Miller, the Councilmembers voted, and the motion carried unanimously, 4-0.

23. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF MAGNOLIA AND LJA ENGINEERING FOR SITE ACQUISITION FOR THE WWTP CONSISTING OF A PORTION OF THE 25 ACRE TRACT ON THE WEST SIDE OF HWY 249**
(Mayor Todd Kana)

City Attorney Leonard Schneider stated he had no objections to the contract other than a few minor changes for LJA to make prior to execution. City Engineer Mike Kurzy and City

Administrator Don Doering provided additional information on this item.

MOTION: Upon a motion to approve the Professional Services Agreement between City of Magnolia and LJA Engineering for site acquisition for the WWTP consisting of a portion of the 25-acre tract on the west side of Hwy. 249 subject to City Attorney review made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 4-0.

24. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE AEI ENGINEERING CHANGE ORDER NO. 1 FM 1488 FORCE MAIN CONSTRUCTION AND WATER LINE RELOCATION (Mayor Todd Kana)

City Engineer Mike Kurzy presented this item and explained this is a Strand Change Order they reviewed for the lowering of the Force Main required by TxDOT and after changes there is a total contract increase of \$132,125.00 and an additional 210 days added to the contract time because they were delayed 210 days.

MOTION: Upon a motion to approve AEI Engineering Change Order No. 1 FM 1488 Force Main Construction and Water Line Relocation made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 4-0.

25. CONSIDERATION – APPROVAL TO SELL ALCOHOL AT THE 2ND ANNUAL PATRIOTS OF TEXAS FEST COOKOFF AND CONCERT EVENT AT UNITY PARK SEPTEMBER 16-17, 2022 (Mayor Todd Kana)

MOTION: Upon a motion to approve the sale of alcohol at the 2nd Annual Patriots of Texas Fest Cookoff and Concert Event at Unity Park September 16-17, 2022 made by Councilmember Dantzer and seconded by Councilmember Hoppe, the Councilmembers voted, and the motion carried unanimously, 4-0.

26. CONSIDERATION – APPROVE STREET CLOSURES FOR THE 2ND ANNUAL PATRIOTS OF TEXAS FEST COOKOFF AND CONCERT EVENT AT UNITY PARK SEPTEMBER 16-17, 2022 (Mayor Todd Kana)

MOTION: Upon a motion to approve street closures for the 2nd Annual Patriots of Texas Fest Cookoff and Concert Event at Unity Park September 16-17, 2022 made by Councilmember Dantzer and seconded by Councilmember Hoppe, the Councilmembers voted, and the motion carried unanimously, 4-0.

27. CLOSED EXECUTIVE SESSION

The City Council of the City of Magnolia, Texas, reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below as authorized by Title 5, Chapter 551, of the Texas Government Code. §551.071(Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074

(Personnel Matters), §551.076 (Deliberations about Security Devices), §551.086 (Deliberations about competitive matters), and §551.087 (Deliberation about Economic Development Matters.)

None

28. **RECONVENE** into regular session and consider action, if any, on item(s) discussed in executive session.

None

29. **ADMINISTRATION - DEPARTMENT REPORTS
ACTIVITIES/ UPDATES/ ANNOUNCEMENTS & ITEMS OF COMMUNITY INTEREST**

a. **POLICE DEPARTMENT** (Chief of Police, Kyle Montgomery)

Police Chief Kyle Montgomery reviewed his report with Council included in their packet and noted the three replacement vehicles are all in service at this time. The department is going through background applications for an additional new hire.

b. **ADMINISTRATION / PUBLIC WORKS DEPARTMENT** (City Administrator, Don Doering)

City Administrator Don Doering went over a brief summary of his monthly report provided in their packet. He noted the new well site is being cleared and his attendance of weekly AEI Engineering team meetings prove to be productive. Also mentioned was his attendance at a CenterPoint Emergency Operations planned meeting. Further noted, with the fiscal year 67% over we have collected 78% budgeted revenue and spent 57% of our budgeted expenses. In addition, the City has collected 97% budgeted revenue in sales tax to date. The City has exceeded 305% of budgeted revenue for building permits.

30. **ADJOURN**

MOTION: Upon a motion to adjourn made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 4-0 and the meeting was adjourned at 7:56 p.m.



Todd Kana, Mayor

CERTIFICATION

I certify that this is a true and correct copy of the minutes of the meeting of the City Council meeting held on June 14, 2022.

ATTEST:

Kandice Garrett, City Secretary

Planning and Zoning Commission
City of Magnolia
Agenda Item Summary

Date: July 6, 2022

To: City Council

From: Christian Gable, Planning Coordinator

RE: City Council Meeting Agenda Item #11

BACKGROUND/INFORMATION

Rezoning requested by SM DADA Enterprises for 0.9183 acres of Nichols Sawmill Road, purchased with the intent to be a convenience store site. The current zoning is Neighborhood Conservation 2. A rezoning to Suburban Village, which allows neighborhood conveniences, is requested.

COMMENTS:

Surrounding properties are zoned Suburban Village and NC2. This tract has frontage on Nichols Sawmill Road. Planning and Zoning Commission moved to approve this at PZC meeting 6/16/22.

Action Requested

Approve rezoning of 0.9183 acres on Nichols Sawmill Road, as requested.

Recommendation:

Approve rezoning request by SM DAD Enterprises LLC for rezoning of 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey Abstract Number 177, of Montgomery County, Texas from Neighborhood Conservation 2 (NC 2) to Suburban Village (SV).

Attachments:

Exhibit A

Supporting documents and application

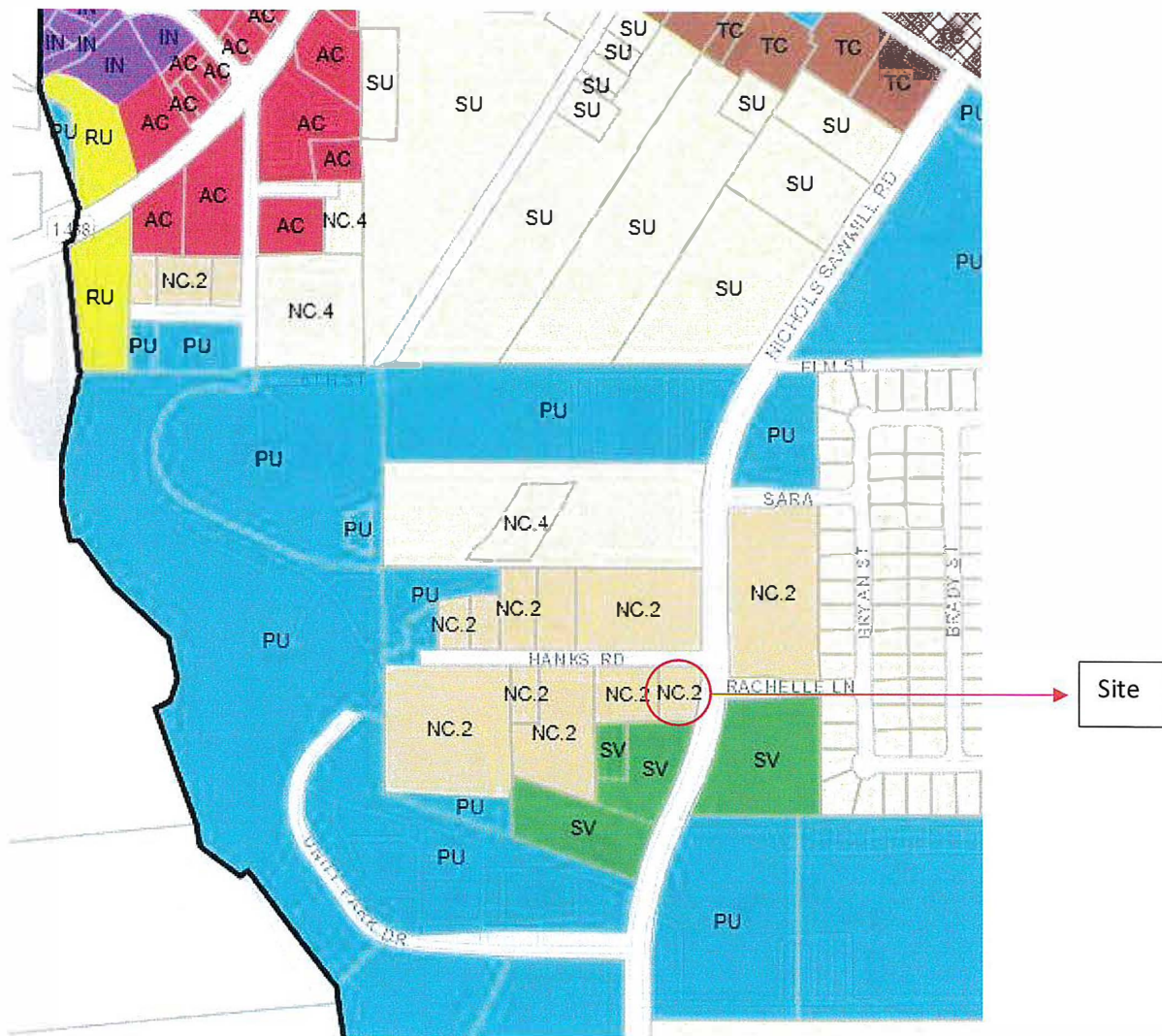
Rezoning letters

Rezoning Public Hearing Notice

Tana's previous report

EXHIBIT A

City of Magnolia Zoning Map
with Subject Property - circled



Being a 0.9183 acres (40,000 square feet) tract of land being Reserve "A" and the east 55.25 feet of Reserve "D" of MAGNOLIA BUSINESS CENTER, a subdivision in MONTGOMERY County, Texas according to the map or plat thereof recorded in Cabinet "Z" Sheet 656 of the Map Records of MONTGOMERY County, Texas. Situated in the Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, and being out of and part of a called S.640 acre tract of land, described in deed recorded in Film Code No. 338-10-2312, of the Real Property Records of Montgomery County, Texas,

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED
(Cash)

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

THAT THE UNDERSIGNED, **NEW CREATION MANAGEMENT, INC.**, a Texas corporation, hereinafter collectively referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto **SM DADA ENTERPRISES LLC**, a Texas limited liability company, herein referred to as "Grantee," the real property described in Exhibit "A", but Grantor expressly reserves a perpetual easement for Grantor and Grantor's employees and agents to maintain, repair, and service that 12.5' x 1.5' concrete wall storage sign located on the Northeast corner of the property.


This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of ~~Harris~~ County, Texas.

Montgomery AT.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, subject to the reservation contained herein.

EXECUTED this 6 day of August, 2021.

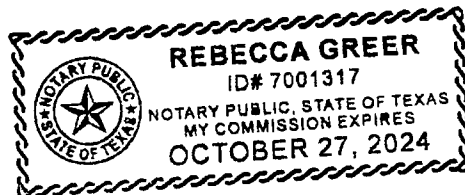
NEW CREATION MANAGEMENT, INC.,
a Texas Corporation

By: 
Jeffrey D. Tanis, President

Grantee's Address:
6634 Brady Springs Ln.
Sugar Land, TX 77479

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me on the 6 day of August, 2021, by Jeffrey D. Tanis, President of New Creation Management, Inc., a Texas Corporation.




NOTARY PUBLIC, State of Texas

Exhibit "A"
Legal Description

Being a 0.9183 acres (40,000 square feet) tract of land being Reserve "A" and the east 55.25 feet of Reserve "D" of MAGNOLIA BUSINESS CENTER, a subdivision in MONTGOMERY County, Texas according to the map or plat thereof recorded in Cabinet "Z" Sheet 656 of the Map Records of MONTGOMERY County, Texas. Situated in the Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, and being out of and part of a called 5.640 acre tract of land, described in deed recorded in Film Code No. 338-10-2312, of the Real Property Records of Montgomery County, Texas, said 0.9183 acre being more particularly described as follows with all bearings based on the recorded plat;

BEGINNING at a 3/4-inch iron rod found for the northeast corner of the herein described tract, common with the northeast corner of the said 5.640 acres, same being the intersection of the west right-of-way line of Nichols Sawmill Road with the south right-of-way line of Hanks Road;

THENCE along the east line of the herein described tract, common with the east line of the said 5.640 acre tract, and the west right-of-way line of Nichols Sawmill Road, around a curve to the right, having a central angle of 09 degrees 50 minutes 31 seconds, a radius of 1,161.04 feet, an arc length of 202.14 feet, a chord that bears South 07 degrees 43 minutes 03 seconds West, a chord distance of 201.89 feet, to a 3/4-inch iron rod found for the southeast corner of the herein described tract;

THENCE South 89 degrees 59 minutes 58 seconds West, at 128.22 feet pass a 1/2-inch iron rod found at the southeast corner of a called 1.080 acre tract conveyed to New Creation Management, Inc., described by deed filed for record under Clerk's File Number 2006084662 of the Official Public Records of Real Property of Montgomery County, Texas, along the south line of the herein described tract, severing the 5.640 acre tract, in all, for a total distance of 183.47 feet to a 1/2-inch iron rod with cap set for the southwest corner of the herein described tract;

THENCE North 00 degrees 00 minutes 02 seconds West, a distance of 199.98 feet, along the west line of the herein described tract, to a 1/2-inch iron rod with cap set for the northwest corner of the herein described tract, same being in the north line of the said 5.640 acre tract and being in the south right-of-way line of Hanks Road;

THENCE North 89 degrees 58 minutes 41 seconds East, at 55.25 feet past a 1/2-inch iron rod found at the northeast corner of said 1.080 acre tract, in all, for a total distance of 210.58 feet, along the north line of the herein described tract, common with the north line of the said 5.640 acre tract and the south right-of-way line of Hanks Road, to the POINT OF BEGINNING and containing 0.9183 of an acre (40,000 square feet) of land, more or less.

E-FILED FOR RECORD

08/09/2021 02:06PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number
sequence on the date and time stamped herein
by me and was duly e-RECORDED in the Official Public
Records of Montgomery County, Texas.

08/09/2021



County Clerk
Montgomery County, Texas



Rezoning Application Form

This form shall be submitted with each application for a rezoning.

CONTACT INFORMATION

Applicant

SHARIF PRASLA

Name

6634 Bardy Springs

Street Address

Sugarland, TX, 77479

City, State Zip

832-213-6999

Phone

Fax

hardyexpress@gmail.com

E-mail

Architect (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Property Owner (if different)

SM DADA Enterprise LLC

Name

6634 Brady Springs

Street Address

Sugarland, TX, 77479

City, State Zip

281-589-9676

Phone

Fax

E-mail

Engineer/Land Surveyor (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

PROPERTY PROFILE

Property ID # R380973

Legal Description 0.913 acres of 5.64 acres tract of land described in deed recorded in
Flim Code no. 338-10-2312 Reserve A.

(Subdivision) (Lot) (Block)

Current Zoning NC2Proposed Zoning SV

Present Use of Property
VACANT LAND

Proposed Use of the Property
CONVENIENCE STORE & FUEL STATION

Total Area of Site 0.913 acres

The rezoning is requested due to the following reason(s)
Please find the attached letter for reasons.

Fees ☒ YES ☐ NO

I, SHARIF PRASLA (print or type name), certify with my signature below that the information included in my submittal packet is complete, true, and correct, to the best of my knowledge.



Signature of Applicant

12/2/21

Date



9950 Westpark Drive, Suite 426, Houston, Texas 77065. Phone: (281) 404-4438, Fax: (844) 288-8742

Date: December 02, 2021

City of Magnolia
Planning & Zoning Department
18111 Buddy Riley Blvd.
Magnolia, Texas - 77354

Subject: Application for Rezoning the PARCEL ID# R380973

Dear Planning & Zoning Members,

We are requesting a variance for the above address to change from NC2 Zone to SV Zone [Figure-1]. Our client (SM DADA Enterprise LLC) has purchased this land to develop a Convenient Store with Deli and Fueling Pumps. Also, the property information and Legal Acreage on the county map is still showing the pervious client information. The New Client is SM DADA Enterprise LLC and recorded acreage on Deed is 0.9183 acres. We are attaching the Deed with this application.

We are requesting this relief due to the following reasons:

- The suburban neighborhood is growing, and in near future there will be more residents. Having a convenient store will bring convenience to the people.
- Most importantly, the nearest two gas stations are 0.7 mile (Exxon Gas Station), and 0.96 mile (Valero Gas Station). The site is in a convenient distance from both fueling stations and will serve the neighborhood more efficiently [Figure-2].
- Although, the site is in Zone NC2, it is surrounded by Zone SV except one side. The opposite site of this property is also under the Zone SV, and the south-side adjacent property is currently used as SV zone, thus the proposed change of land use is consistent with the adjacent property [Figure - 3].
- Another point needs to mention is that the site is located 340.6' away of the *Magnolia Junior High School* which complies with the TABC distance regulation of 300' distance [Figure-4]. We have also taken the TABC approval letter for this proposed convenient store in this site.

Lastly, granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

Please contact us in the following address for further information. Thank you for your consideration.

Sincerely,

Midstream and Terminal Services LLC
DBA MTS Engineering and Design

Golam Mostofa, P.E. PMP

Director

Midstream and Terminal Services LLC

9950 Westpark Dr. Suite 426 | Houston, TX 77063

Tel: (281) 404-4438; Fax: (844) 288-8742 | Mobile: (281) 253-4849

9950 Westpark Drive, Suite 426, Houston, Texas 77065. Phone: (281) 404-4438, Fax: (844) 288-8742

Email: gmostofa@midstream-terminal.com | Website: www.midstream-terminal.com

Figure-1: Zoning MAP

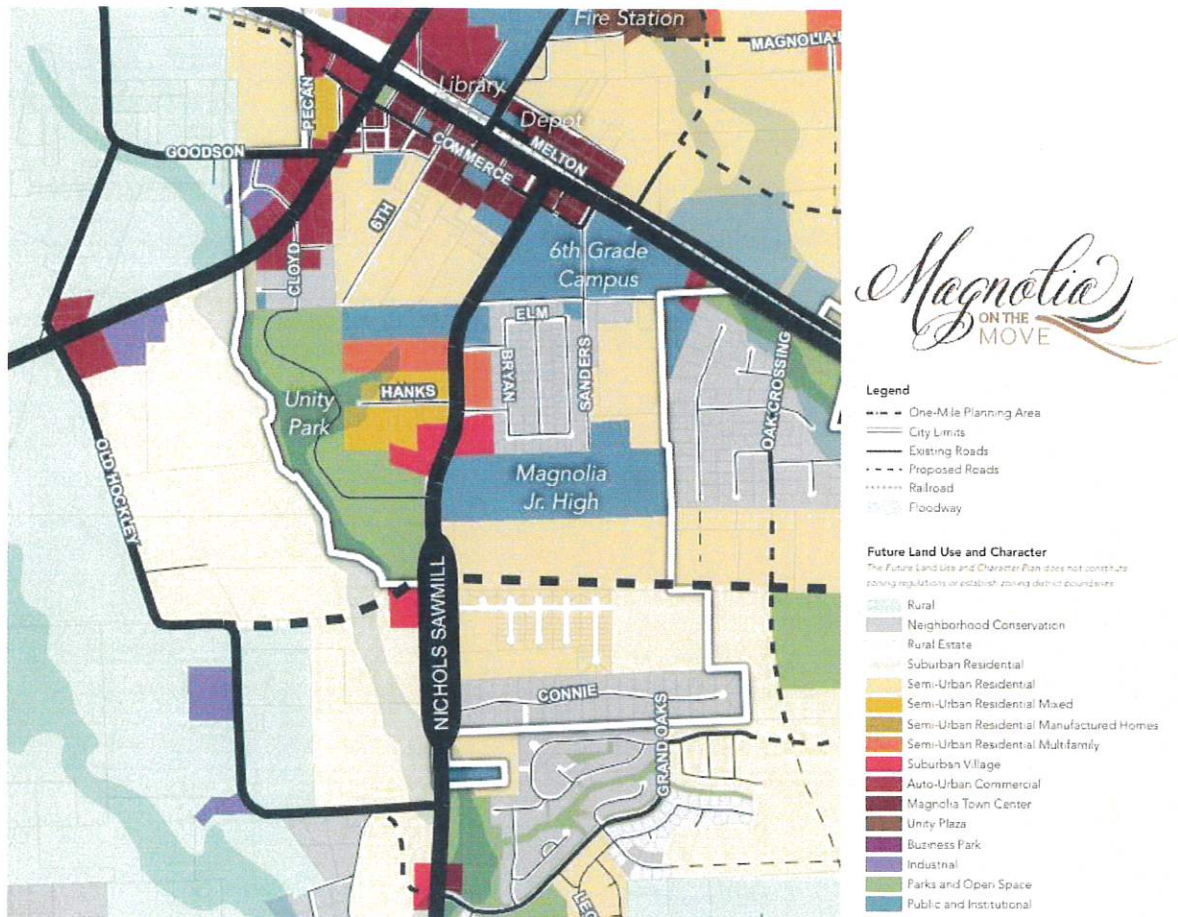


Figure-2: Site Distance from the nearest two Gas Stations

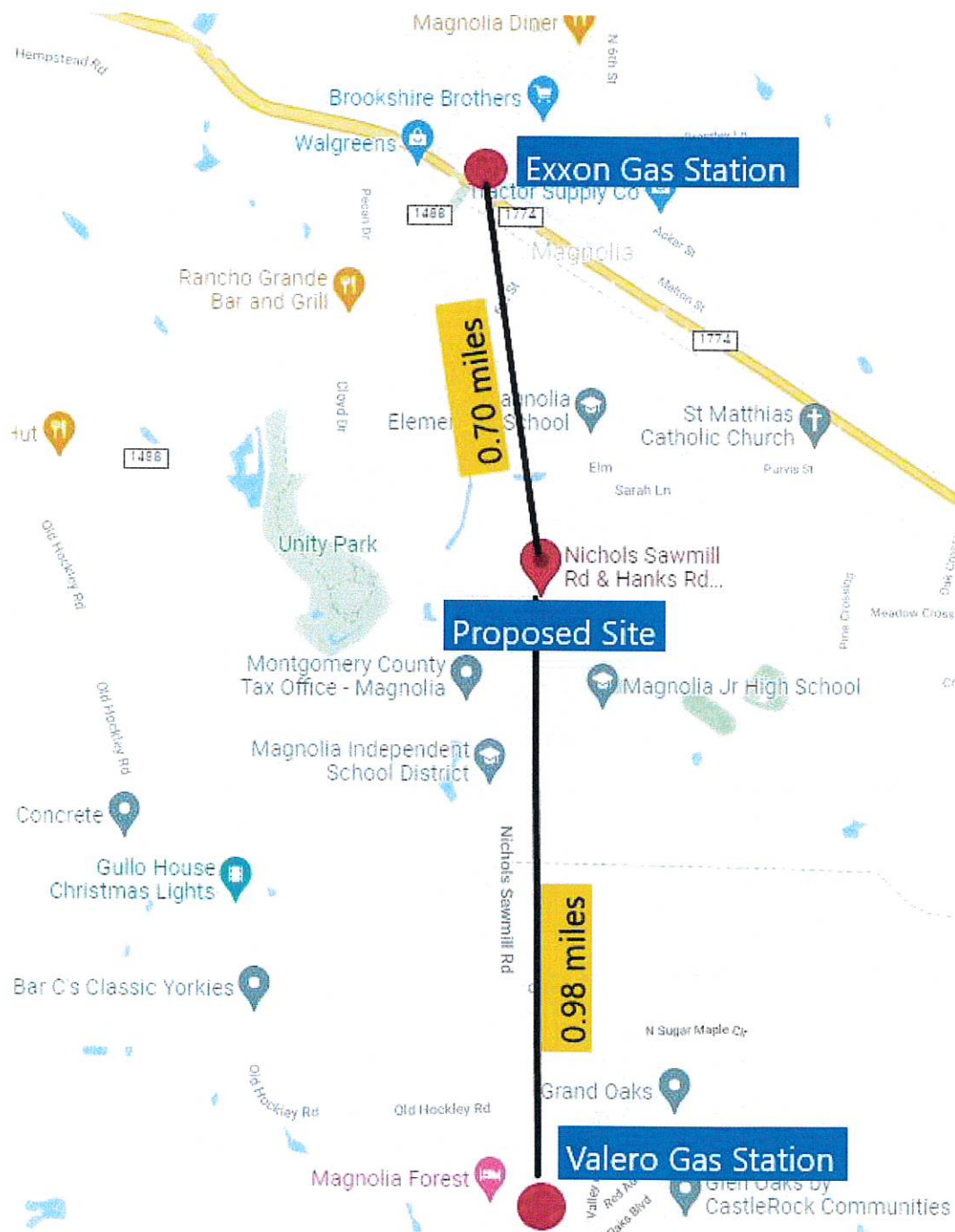
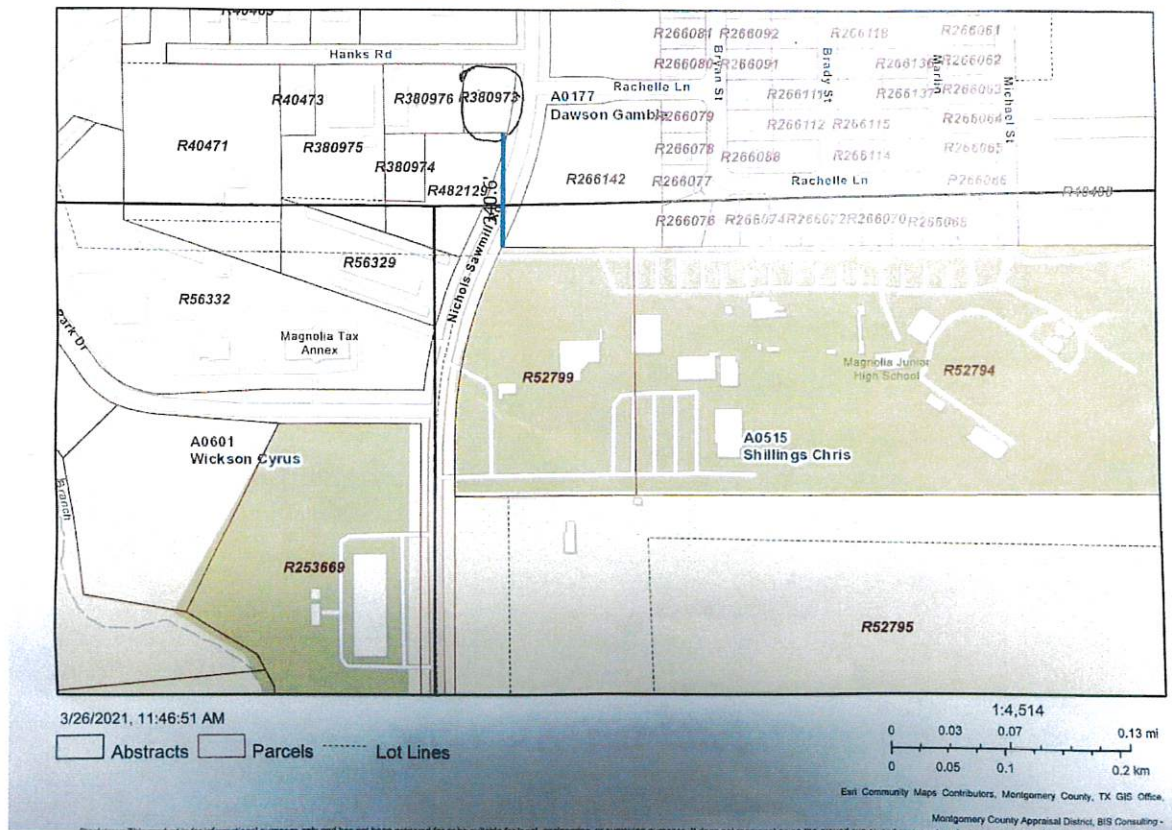


Figure-4: Site Distance from the School

New Creation Management NS Rd site



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GENERAL WARRANTY DEED
(Cash)

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


THAT THE UNDERSIGNED, **NEW CREATION MANAGEMENT, INC.**, a Texas corporation, hereinafter collectively referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto **SM DADA ENTERPRISES LLC**, a Texas limited liability company, herein referred to as "Grantee," the real property described in Exhibit "A", but Grantor expressly reserves a perpetual easement for Grantor and Grantor's employees and agents to maintain, repair, and service that 12.5' x 1.5' concrete wall storage sign located on the Northeast corner of the property.

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of ~~Harris~~ *Montgomery* County, Texas. *AT.*

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, subject to the reservation contained herein.

EXECUTED this *6* day of August, 2021.

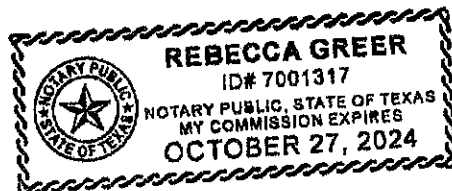
NEW CREATION MANAGEMENT, INC.,
a Texas Corporation


By: 
Jeffrey D. Tanis, President

Grantee's Address:
6634 Brady Springs Ln.
Sugar Land, TX 77479

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me on the 6 day of August, 2021, by Jeffrey D. Tanis, President of New Creation Management, Inc., a Texas Corporation.




NOTARY PUBLIC, State of Texas



City of Magnolia
18111 Buddy Riley Blvd.
Magnolia, Texas 77354
(281) 356-2266

May 31, 2022

Mike Albert Kiphart
31523 Hanks Rd.
Magnolia, Texas 77355-8569

REZONING NOTIFICATION

RE: The City of Magnolia will hold a public hearing in the Council Chambers at City Hall to consider the rezoning of approximately 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of MAGNOLIA BUSINESS CENTER situated in the Gamble Dawson Survey, Abstract Number 177.

The City of Magnolia Planning and Zoning Commission will hold a public hearing on June 16, 2022 at 4:30 p.m. in City Hall at 1811 Buddy Riley Blvd., Magnolia, TX 77354. The City will also have the agenda with the rezoning posted 72 hours before the meeting, please visit <https://www.cityofmagnolia.com>.

The Commission will review the rezoning of the property described in the attached Exhibit A and make a recommendation to City Council.

The City of Magnolia City Council will hold a final public hearing on the rezoning on Tuesday, July 12, 2022 at 7 p.m. in the Council Chambers at City Hall, 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

Texas Local Govt. Code Ch. 211 requires a written notification to property owners within 200 feet of the property on which the zoning change is proposed.

You are hereby notified of the rezoning application for the property on Exhibit A from Neighborhood Conservation 2 (NC2) to Suburban Village (SV), and the public hearing for the property listed on the attached Exhibit A.



City of Magnolia
18111 Buddy Riley Blvd.
Magnolia, Texas 77354
(281) 356-2266

May 31, 2022

New Creation
20102 Ruby Terrace Ln.
Magnolia, Texas 7355-1807

REZONING NOTIFICATION

RE: The City of Magnolia will hold a public hearing in the Council Chambers at City Hall to consider the rezoning of approximately 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of MAGNOLIA BUSINESS CENTER situated in the Gamble Dawson Survey, Abstract Number 177.

The City of Magnolia Planning and Zoning Commission will hold a public hearing on June 16, 2022 at 4:30 p.m. in City Hall at 1811 Buddy Riley Blvd., Magnolia, TX 77354. The City will also have the agenda with the rezoning posted 72 hours before the meeting, please visit <https://www.cityofmagnolia.com>.

The Commission will review the rezoning of the property described in the attached Exhibit A and make a recommendation to City Council.

The City of Magnolia City Council will hold a final public hearing on the rezoning on Tuesday, July 12, 2022 at 7 p.m. in the Council Chambers at City Hall, 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

Texas Local Govt. Code Ch. 211 requires a written notification to property owners within 200 feet of the property on which the zoning change is proposed.

You are hereby notified of the rezoning application for the property on Exhibit A from Neighborhood Conservation 2 (NC2) to Suburban Village (SV), and the public hearing for the property listed on the attached Exhibit A.



City of Magnolia
18111 Buddy Riley Blvd.
Magnolia, Texas 77354
(281) 356-2266

May 31, 2022

Rose Bud LLC
26594 Riley Rd..
Magnolia, Texas 77484-1980

REZONING NOTIFICATION

RE: The City of Magnolia will hold a public hearing in the Council Chambers at City Hall to consider the rezoning of approximately 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of MAGNOLIA BUSINESS CENTER situated in the Gamble Dawson Survey, Abstract Number 177.

The City of Magnolia Planning and Zoning Commission will hold a public hearing on June 16, 2022 at 4:30 p.m. in City Hall at 1811 Buddy Riley Blvd., Magnolia, TX 77354. The City will also have the agenda with the rezoning posted 72 hours before the meeting, please visit <https://www.cityofmagnolia.com>.

The Commission will review the rezoning of the property described in the attached Exhibit A and make a recommendation to City Council.

The City of Magnolia City Council will hold a final public hearing on the rezoning on Tuesday, July 12, 2022 at 7 p.m. in the Council Chambers at City Hall, 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

Texas Local Govt. Code Ch. 211 requires a written notification to property owners within 200 feet of the property on which the zoning change is proposed.

You are hereby notified of the rezoning application for the property on Exhibit A from Neighborhood Conservation 2 (NC2) to Suburban Village (SV), and the public hearing for the property listed on the attached Exhibit A.



City of Magnolia
18111 Buddy Riley Blvd.
Magnolia, Texas 77354
(281) 356-2266

May 31, 2022

RVision Commercial
18640 FM 1488 Ste. A 510
Magnolia, Texas 77354-8517

REZONING NOTIFICATION

RE: The City of Magnolia will hold a public hearing in the Council Chambers at City Hall to consider the rezoning of approximately 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of MAGNOLIA BUSINESS CENTER situated in the Gamble Dawson Survey, Abstract Number 177.

The City of Magnolia Planning and Zoning Commission will hold a public hearing on June 16, 2022 at 4:30 p.m. in City Hall at 1811 Buddy Riley Blvd., Magnolia, TX 77354. The City will also have the agenda with the rezoning posted 72 hours before the meeting, please visit <https://www.cityofmagnolia.com>.

The Commission will review the rezoning of the property described in the attached Exhibit A and make a recommendation to City Council.

The City of Magnolia City Council will hold a final public hearing on the rezoning on Tuesday, July 12, 2022 at 7 p.m. in the Council Chambers at City Hall, 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

Texas Local Govt. Code Ch. 211 requires a written notification to property owners within 200 feet of the property on which the zoning change is proposed.

You are hereby notified of the rezoning application for the property on Exhibit A from Neighborhood Conservation 2 (NC2) to Suburban Village (SV), and the public hearing for the property listed on the attached Exhibit A.



City of Magnolia
18111 Buddy Riley Blvd.
Magnolia, Texas 77354
(281) 356-2266

May 31, 2022

Magnolia ISD Business Office/Tax Office
P.O. Box 138
Magnolia, Texas 77353-0138

REZONING NOTIFICATION

RE: The City of Magnolia will hold a public hearing in the Council Chambers at City Hall to consider the rezoning of approximately 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of MAGNOLIA BUSINESS CENTER situated in the Gamble Dawson Survey, Abstract Number 177.

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The Commission will review the rezoning of the property described in the attached Exhibit A and make a recommendation to City Council.

The City of Magnolia City Council will hold a final public hearing on the rezoning on Tuesday, July 12, 2022 at 7 p.m. in the Council Chambers at City Hall, 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

Texas Local Govt. Code Ch. 211 requires a written notification to property owners within 200 feet of the property on which the zoning change is proposed.

You are hereby notified of the rezoning application for the property on Exhibit A from Neighborhood Conservation 2 (NC2) to Suburban Village (SV), and the public hearing for the property listed on the attached Exhibit A.

Rezoning Report

31525 Nichols Sawmill Rd.

Request by: SM DADA Enterprises

Report Date: January 31, 2022

To: City Council

From: Tana Ross, Planning Consultant

RE: City of Magnolia City Council Meeting, February 8, 2022 Public Hearing and Agenda Item
Request by SM DADA Enterprises for 0.9183 acres; Tax Parcel ID: 7001-00-00100; Request
to Rezone Property from Neighborhood Conservation 2 (NC 2) to Suburban Village (SV)

A Rezoning request from the applicant, SM DADA Enterprises, requesting Rezoning from the City of Magnolia, as per Unified Development Code, Section 11-2-3.07, Zone Change (Rezoning). Below (1-5) is the criteria the Planning and Zoning Commission and City Council must use in determining whether to approve a Rezoning Application. To assist the City Council this report has been created to apply the rezoning factors found in Section 11-2-3.07, Zone Change (Rezoning) to the specific circumstances of this request. The text of this UDC section is shown directly below.

CRITERIA FOR APPROVAL, AS PER CITY OF MAGNOLIA UNIFIED DEVELOPMENT CODE, SEC. 11-2-3.07 ZONE CHANGE (REZONING):

1. Proposed zoning is preferable to the existing zoning in terms of its likelihood of advancing the goals, objectives, and policies of the Comprehensive Plan or another adopted land use or area plan, including but not limited to redevelopment plans;
 - The proposed zoning is preferable to the existing zoning in terms of advancing the goals, objectives and policies of the Comprehensive Plan or other adopted land use plans for the city by utilizing a tract in an Infill Area, a priority listed on the Action Agenda of the Comprehensive Plan. The tract and surrounding area is identified in ***Chapter 3 Growth Management and Capacity, Map 3.1 Areas of Influence***. Infill areas are defined by the Comprehensive Plan as vacant lots with city utilities, available for development.
 - The proposed zoning is preferable to the existing zoning in terms of advancing the goals, objectives and policies of the Comprehensive Plan or other adopted land use plans for the city by offering a neighborhood convenience. See, ***City of Magnolia Comprehensive Plan Chapter 2 Land Use and Character addresses Existing and Future Land use of the City of Magnolia, Map 2.2 Future Land Use and Character Plan***, which identifies the tract as future Semi-Urban Mixed Use. *Mixed Use* is defined in the UDC as a combination of residential and commercial uses including office, retail and live-work units.

2. The proposed zoning is consistent with the future land use plan of the Comprehensive Plan;

- The proposed zoning is consistent with the ***City of Magnolia Comprehensive Plan Chapter 2, Sec. 2.12 Suburban Village, which states:*** Outside of the Magnolia Town Center (MTC) area and along the major corridors, Magnolia’s commercial uses should be designed at a neighborhood scale in Suburban Village (SV) configurations. Rather than designing linear strips, these commercial centers occupy much smaller building footprints than typical businesses found on FM 1488. They tend to cater to pedestrian rather than auto-oriented neighborhood conveniences such as drug stores, professional services, and boutique retail uses.

- a. **Typical Locations of Suburban Village as per Comprehensive Plan Sec 2.2** - Typical locations include smaller commercial centers adjacent to and surrounded by neighborhoods.
 - b. **Development Types of Suburban Village as per Comprehensive Plan Sec 2.2** – Include: Mixed residential and commercial uses on single sites and within individual structures; Attached residential dwellings; Homes that have been converted to commercial uses, but arranged in clustered nodes; Commercial retail; Office; Public/institutional; Parks, plazas, and civic spaces.
 - c. **Characteristics as per Comprehensive Plan Sec 2.12** – Characteristics include: Pedestrian-oriented setting; Maximum two-story structures encouraged; Reliance on on-street parking and centralized public parking; High degree of landscape surface; Neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites near the edges of Semi-Urban Residential (SUR) areas, which are best suited to accommodate such uses while ensuring compatibility with nearby residential uses.
3. The proposed change is consistent with the implementation of existing or pending plans for providing street, water and wastewater, other utilities and the delivery of public services to the area in which the parcel proposed for a zone change is located.
 - There is existing infrastructure to serve the site including water, sewer, and roads.
 4. The range of uses and character of development that is allowed by the proposed zone will be compatible with the properties in the immediate vicinity of the parcel proposed for a zone change, and the parcel is of sufficient dimensions to accommodate development and requirements of the UDC.
 - The use and character allowed by the proposed rezoning (SV) would be compatible with properties in the immediate vicinity:
 - a. The tract is 0.9183 acres.
 - b. The UDC has no minimum lot size for SV district sites.

- c. Parking and Buffering requirements of the UDC would have to be met for approval of a site plan on the site.
 - d. The SV design calls for size and scale, landscaping, and pedestrian access compatible with the adjacent neighborhoods.
- 5. The pace of development and/or the amount of vacant land currently zoned for comparable development in the vicinity suggests a need for the proposed rezoning in order to ensure an appropriate inventory of land to maintain a competitive land market that promotes economic development.
 - a. In 2021, rezoning of a 2.397-acre tract, on the east side of Nichols Sawmill Road was approved to offer a variety of services to the increasing residential community of Timberbrook Estates. It is anticipated this tract will be marketed as a family restaurant site.
 - b. Magnolia Trails is a senior community/tower on the same side of Nichols Sawmill Road (west side) and has 85 residents, all of the 55-plus demographic. There are no retail offerings in the immediate vicinity or within walking distance.
 - c. A 4.693-acres tract on the east side of Nichols Sawmill Road is expected to break ground in 2023 for subdivision of 23 single-family patio homes. There are no offerings for food or fuel within the immediate vicinity or within walking distance.
 - d. A 3.912-acre tract also on the east side of Nichols Sawmill Road is under construction for an office complex. There are no retail offerings in the immediate vicinity or within walking distance
 - e. The tract is included in the City of Magnolia Comprehensive Plan, adopted in 2013, as future Semi-Urban Mixed Use (please see 1. above).

Recommendation:

Approve rezoning request by SM DADA Enterprises LLC for 31525 Nichols Sawmill Rd., with modifications, for and best use.

MODIFICATIONS: Require site and building design meet the Suburban Village goals in the City of Magnolia Comprehensive Plan, Ch. 2.12, including but not limited to scale in keeping with the neighborhood, use of masonry as primary building material, sidewalks and enhanced landscaping.

Action Recommendation:

Approve rezoning request by SM DAD Enterprises LLC for rezoning of 0.9183 acres of land being Reserve “A” and the east 55.25 feet of Reserve “D” of Magnolia Business Center, Gamble Dawson Survey Abstract Number 177, of Montgomery County, Texas from Neighborhood Conservation 2 (NC 2) to Suburban Village (SV) with modifications.

**City of Magnolia
City Council
Agenda Item Summary**

Date: July 6, 2022

To: City Council

From: Christian Gable, Planning Coordinator

RE: Mill Creek Estates, Section 6A, Final Plat, +/-30.239
Acres Agenda Item #12

Background/Information:

An application for a final plat was received on March 7, 2022.

Comments:

On May 31, the City Engineer issued a Letter of No Objection.

Action Requested:

Approve final plat for Mill Creek Section 6A.

Recommendation:

Approve final plat for Mill Creek Section 6A.

Attachments:

Final Plat



Final Plat Application Form

This form shall be submitted with each application for a final plat.

CONTACT INFORMATION

Applicant

LJA Engineering, Inc.- Zach Zarse

Name

3600 W Sam Houston Parkway S Suite 600

Street Address

Houston, TX 77042

City, State Zip

713-580-4100

Phone

Fax

zzarse@lja.com

E-mail

Architect (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Property Owner (if different)

Forestar (USA) Real Estate Group, Inc.

Name

3355 West Alabama Street, Suite 600

Street Address

Houston, TX 77098

City, State Zip

Phone

Fax

thomassikora@forestar.com

E-mail

Engineer/Land Surveyor (if different)

LJA Surveying, Inc.- Cameron S. Lowe

Name

3600 W Sam Houston Parkway S, Suite 175

Street Address

Houston, TX 77042

City, State Zip

713-953-5212

Phone

Fax

clowe@ljasurvey.com

E-mail

Project Name: _____ Subdivision: _____ Reviewer: _____

PROPERTY PROFILE

Legal Description Mill Creek Estates Section 6A 102 5
(Subdivision) (Lot) (Block)

Current Zoning PD

Present Use of Property
Agricultural/ Vacant

Proposed Use of the Property
Single Family Residential

Total Area of Site 21.885

Project Name: _____ Subdivision: _____ Reviewer: _____

1. Description of existing property. If the property has been previously subdivided, provided the lot(s), block(s), and subdivision name. If the property has been subdivided, provide the metes and bounds description:

N/A

2. Description of proposed property change, including lot numbers, name, etc.

Mill Creek Sec 6A, 102 Lots, 5 Blocks, 3 Reserves (0.227 acres)

Required Information

- ☐ Three (3) copies of the final plat; minimum 20 in. x 24 in. size Mylar originals sealed by a state of Texas registered surveyor
- ☐ Twelve (12) copies in black or blue line copies of the original Mylar final plat
- ☐ Twelve (12) copies of a "letter of explanation" explaining the details of the final plat
- ☐ One (1) copy in blue or black line of all originals in 11 in. x 17 in. size
- ☐ All fees
- ☐ One (1) Adobe Acrobat PDF of each page presented to the City for review
- ☐ Owner affidavit of no conveyance of any interest and that no additional liens exist on the land within the plat since the date of the original title opinion (title search)
- ☐ Tax certificates; City, County, and School
- ☐ Final plans and specifications for all required improvements
- ☐ Vicinity map
- ☐ North arrow
- ☐ Revision date
- ☐ Legal description
- ☐ Scale
- ☐ Contour lines (at one-foot intervals)
- ☐ Tabulations that include:
 - ☐ The number of lots in the subdivision
 - ☐ The size of the parcel
 - ☐ The number of dwelling units proposed (provided on a separated attached description)
 - ☐ The number of square feet of nonresidential floor area proposed, by generalized use (provided on a separate attached description)
 - ☐ Water available for fire protection
- ☐ Use and ownership of abutting parcels or lots
- ☐ Location and dimensions (including all curve data, the lengths of all arcs, radii, internal angles, points of curvature, lengths and bearings of tangents) of:
 - ☐ Right-of-way, streets, alleys, railroads, lots, open space, parks, protected natural resources, and buffers
 - ☐ Utility and access easements
 - ☐ Private access easements

Project Name: _____ Subdivision: _____ Reviewer: _____

- ☐ The outer boundary lines of the parcel proposed for subdivision, with accurate distances, angles, and true bearings if available, and the exact location width of all recorded streets and ways intersecting the boundaries of the parcel being platted
- ☐ Distances and angles, or true bearings if available, to the established street lines or official monuments, which shall be accurately described on the plat
- ☐ Proposed names of streets
- ☐ Linear footage of proposed new right-of-way
- ☐ All block indications, if any; lot numbers; all individual areas designated by number or letter, and lots in new subdivision, numbered consecutively
- ☐ The accurate location, material, type and description of all permanent control monuments. Where no established bench mark exists, show permanent bench marks that have been established on the property based on mean sea level datum and shown on the plat
- ☐ Delineation and area of special use areas, including the location and size of proposed parks, playgrounds, protected resources and open spaces, sites for places of public assembly (including schools) or other special uses of land to be considered for dedication to public use, and of all property that may be granted by deed and covenants for the common use of the property owners in the subdivision, along with statements for responsibility for maintenance. Actual use descriptions must be provided on a separate attached description
- ☐ Proposed generalized use of lots (*e.g.*, mixed-use, single-family attached, multi-family, industrial, commercial or office, or institutional), provided on a separate attached description
- ☐ Proposed location, size, and linear footage of proposed potable water lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of natural gas lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of sanitary sewer lines and sewerage facilities, except individual treatment systems provided on utility and street construction plans
- ☐ Proposed location of fire hydrants, provided on utility and street construction plans
- ☐ If the proposed subdivision is to be constructed in several phases, a staging plan that shows how the subdivision improvements will be phased. Anticipated time lines for construction of the improvements shall be provided on a separate attached description
- ☐ If the proposed subdivision is one of several phases, conceptual plans for the other phases
- ☐ Traffic study (if necessary)
- ☐ All required notes, certifications, and signatures

I, Zach Zarse (print or type name), certify with my signature below that the information included in my submittal packet is complete, true, and correct, to the best of my knowledge.



Signature of Applicant

03/07/2022

Date

Project Name: _____ Subdivision: _____ Reviewer: _____

Charter Title Company

609 Main Street, Suite 4325, Houston, Texas 77002
(713) 222-6060

CITY PLANNING SEARCH REPORT

March 4, 2022

**City of Magnolia Planning Commission
18111 Buddy Riley Blvd.
Magnolia, Texas 77534**

We, Charter Title Company duly incorporated and doing business under the laws of the State of Texas, hereby certify that we have made a careful search of the Real Property Records MONTGOMERY County, Texas, through an effective date of February 25, 2022, insofar as they pertain to:

MILL CREEK SECTION 6A

Being 21.885 acres of land located in the John B. Richards Survey, Abstract No. 449 Montgomery County, Texas, out of the 92.22 acre tract conveyed to Forestar (USA) Real Estate Group Inc., by an instrument in Document Number 2021047873 of the Official Public Records of said Montgomery County, Texas (M.C.O.P.R.), and out of that certain called 164.94 acre tract conveyed to Forestar (USA) Real Estate Group Inc. by an instrument of record in Document Number 2018025704, M.C.O.P.R., said 21.885 acre tract being more particularly described by metes and bounds in Exhibit "A" attached hereto:

And find the following:

RECORD TITLE APPEARS TO BE VESTED IN:

FORESTAR (USA) REAL ESTATE GROUP, INC.

EASEMENTS AND OTHER ENCUMBRANCES:

Any portion of the Land located within the boundaries of any roadway or highway, including, but not limited to Mill Creek Drive, as described in Volume 777, Page 712 Deed Records of Montgomery County, Texas.

All oil, gas and other minerals of every character in, on, under or that may be produced from the herein described property, together with all rights relating thereto, express or implied, retained therein, and not conveyed, described in deed recorded in Volume 144, Page 123 of the Deed Records of Montgomery County, Texas. Said mineral interest not

traced subsequent to the date of the above cited instrument.

Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated June 6, 1938, recorded July 28, 1938 at Volume 198, Page 511 of the Deed Records of Montgomery County, Texas. Reference to which instrument is here made for particulars. No further search of title been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

Oil, Gas and Mineral Lease, together with all rights relating thereto, express or implied, recorded in Volume 740, Page 254 of the Deed Records of Montgomery County, Texas. Said mineral interest not traced subsequent to the date of the above cited instrument.

Reservation of all oil, gas and other minerals of every character in, on, under or that may be produced from the herein described property, together with all rights relating thereto, express or implied, described in deed recorded in Volume 1029, Page 257 of the Deed Records of Montgomery County, Texas. Said mineral interest not traced subsequent to the date of the above cited instrument.

Oil, Gas and Mineral Lease, together with all rights relating thereto, express or implied, recorded in Document No. 8006792 of the Real Property Records of Montgomery County, Texas. Said mineral interest not traced subsequent to the date of the above cited instrument.

Oil, Gas and Mineral Lease, together with all rights relating thereto, express or implied, recorded in Document No. 8315878 of the Real Property Records of Montgomery County, Texas. Said mineral interest not tract subsequent to the date of the above cited instrument.

Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated January 30, 1987, recorded February 2, 1987 at Clerk's File No. 8704622 of the Official Records of Montgomery County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated April 12, 1987, recorded April 20, 1987 at Clerk's File No. 8716410 of the Official Records of Montgomery County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such Interest(s).

Easement 10 feet in width together with an aerial easement as granted to Houston Lighting & Power Company, by instrument(s) filed for record under MONTGOMERY County Clerk's File No(s). 9561961.

Affidavit to the Public (concerning an on-site wastewater treatment system) recorded under Montgomery County Clerk's File No. 2003068959.

Terms, conditions and stipulations contained in that certain surface application on-site

wastewater treatment system, as set forth by instrument(s) filed for record under Montgomery County Clerks File No. 2009010818.

Reservation of oil, gas and other minerals of every character in, on, under or that may be produced from the herein described property, together with all rights relating thereto, express or implied, as set forth in the interests or amounts described therein, as set forth in deed recorded in Document No. 2019074391 of the Official Public Records of Montgomery County, Texas. Said mineral interest not traced subsequent to the date of the above cited instrument.

Waiver of Special Appraisal for the benefit of Montgomery County Municipal Utility District No. 165, as recorded under Montgomery County Clerk's File No. 2020012116.

Terms, conditions and stipulations contained in that certain Strategic Partnership Agreement between the City of Magnolia and Montgomery County Municipal Utility District No. 165, as recorded under Montgomery County Clerk's File No. 2022005378.

RESTRICTIONS:

Restrictive covenants recorded under Montgomery County Clerk's File No. 2020009780, 2020010096, 2020010097, 2020010805, 2020010806, 2020010807, 2020071579, 2020073868, 2021003132, 2021045101, 2021056645, 2021105875, 2021105876, 2021136236

LIENS:

None of Record.

No examination has been made as to Abstract of Judgments, state or federal tax liens, the status of taxes, tax suits, or paving assessments.

This certificate is issued for the use of and shall inure to the benefit of City of Magnolia; and liability of Charter Title Company hereunder for mistakes and/or errors in this certificate is limited to the cost of said certificate.

This company does not undertake to give or express any opinion as to the validity of the title to the property above described, nor the validity or effect of the instruments listed, and this certificate is neither a guaranty nor warranty of title.

**Prepared by:
Charter Title Company**

BY: _____

Yolanda Mercado, Examiner

March 4, 2022

March 3, 2022
LJAS001-1019-3062

DESCRIPTION OF
MILL CREEK SECTION 6A
21.885 ACRES

Being 21.885 acres of land located in the John B. Richards Survey, Abstract Number 449, Montgomery County, Texas, out of the 92.22 acre tract conveyed to Forestar (USA) Real Estate Group Inc. by an instrument of record in Document Number 2021047873, of the Official Public Records of said Montgomery County, Texas (M.C.O.P.R.), and out of that certain called 164.94 acre tract conveyed to Forestar (USA) Real Estate Group Inc. by an instrument of record in Document Number 2018025704, M.C.O.P.R., said 21.885 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, Central Zone, NAD83);

COMMENCING for reference, at a 5/8 inch iron rod with cap stamped "LJA SURVEY" previously set marking the southwest corner of said 92.22 acre tract, said point lying on the north line of said 164.94 acre tract; from which a 1/2 inch iron rod found marking the northeast corner of said 164.94 acre tract bears South 89° 42' 57" East, 2,218.84 feet;

Thence, South 41° 16' 35" East, departing the north line of said 164.94 acre tract, 1,085.52 feet to the southwest corner and POINT OF BEGINNING of the herein described tract;

Thence, North 30° 00' 04" East, 55.77 feet to a point for corner;

Thence, North 26° 19' 25" East, 49.34 feet to a point for corner;

Thence, North 22° 59' 51" East, 49.34 feet to a point for corner;

Thence, North 19° 40' 17" East, 49.34 feet to a point for corner;

Thence, North 16° 20' 43" East, 49.34 feet to a point for corner;

Thence, North 13° 01' 09" East, 49.34 feet to a point for corner;

Thence, North 09° 41' 35" East, 49.34 feet to a point for corner;

Thence, North 06° 22' 01" East, 49.34 feet to a point for corner;

Thence, North 03° 02' 28" East, 49.34 feet to a point for corner;

Thence, North 00° 17' 06" West, 49.34 feet to a point for corner;

Thence, North 03° 36' 40" West, 49.34 feet to a point for corner;

Thence, North 06° 21' 12" West, 69.18 feet to a point for corner;

Thence, North 70° 15' 36" West, 72.26 feet to a point for corner;

Thence, North 72° 38' 38" West, 87.61 feet to a point for corner;

Thence, North 65° 39' 18" West, 464.86 feet to a point for corner;

Thence, North 28° 24' 10" West, 117.85 feet to a point for corner;

Thence, North 11° 15' 42" East, 113.68 feet to a point for corner;

Thence, North 37° 56' 59" East, 102.89 feet to a point for corner;

Thence, North 24° 20' 42" East, 200.00 feet to a point for corner;

Thence, North 24° 02' 54" East, 49.33 feet to a point for corner;

Thence, North 19° 21' 55" East, 47.87 feet to a point for corner;

Thence, North 13° 16' 02" East, 47.87 feet to a point for corner;

Thence, North 07° 10' 09" East, 47.87 feet to a point for corner;

Thence, North 01° 05' 47" East, 47.87 feet to a point for corner;

Thence, North 02° 32' 02" West, 189.81 feet to a point for corner;

Thence, North 42° 27' 58" East, 14.14 feet to a point for corner;

Thence, North 87° 27' 58" East, 165.00 feet to a point for corner;

Thence, South 02° 32' 02" East, 195.44 feet to a point for corner, the beginning of a curve;

Thence, 293.20 feet along the arc of a tangent curve to the right, having a radius of 625.00 feet, a central angle of 26° 52' 44", and a chord which bears South 10° 54' 20" West, 290.52 feet to a point for corner;

Thence, South 24° 20' 42" West, 16.23 feet to a point for corner, the beginning of a curve;

Thence, 39.27 feet along the arc of a tangent curve to the left, having a radius of 25.00 feet, a central angle of 90° 00' 00", and a chord which bears South 20° 39' 18" East, 35.36 feet to a point for corner;

Thence, South 65° 39' 18" East, 190.00 feet to a point for corner, the beginning of a curve;

Thence, 39.27 feet along the arc of a tangent curve to the left, having a radius of 25.00 feet, a central angle of 90° 00' 00", and a chord which bears North 69° 20' 42" East, 35.36 feet to a point for corner;

Thence, South 66° 34' 19" East, 50.01 feet to a point for corner;

Thence, North 24° 20' 42" East, 97.69 feet to a point for corner;

Thence, South 65° 39' 18" East, 54.90 feet to a point for corner;

Thence, South 74° 38' 51" East, 49.65 feet to a point for corner;

Thence, South 82° 20' 19" East, 99.20 feet to a point for corner;

Thence, North 87° 27' 58" East, 107.81 feet to a point for corner;

Thence, South 02° 32' 02" East, 33.21 feet to a point for corner, the beginning of a curve;

Thence, 56.40 feet along the arc of a tangent curve to the left, having a radius of 625.00 feet, a central angle of 05° 10' 14", and a chord which bears South 05° 07' 09" East, 56.38 feet to a point for corner;

Thence, North 82° 17' 44" East, 50.00 feet to a point for corner, the beginning of a curve;

Thence, 42.28 feet along the arc of a non-tangent curve to the left, having a radius of 25.00 feet, a central angle of 96° 54' 31", and a chord which bears South 56° 09' 31" East, 37.42 feet to a point for corner, the beginning of a compound curve;

Thence, 190.19 feet along the arc of a tangent curve to the left, having a radius of 675.00 feet, a central angle of 16° 08' 37", and a chord which bears North 67° 18' 55" East, 189.56 feet to a point for corner;

Thence, North 59° 14' 36" East, 43.17 feet to a point for corner, the beginning of a curve;

Thence, 35.79 feet along the arc of a tangent curve to the left, having a radius of 25.00 feet, a central angle of 82° 01' 57", and a chord which bears North 18° 13' 37" East, 32.81 feet to a point for corner, the beginning of a reverse curve;

Thence, 18.28 feet along the arc of a tangent curve to the right, having a radius of 325.00 feet, a central angle of 03° 13' 19", and a chord which bears North 21° 10' 41" West, 18.27 feet to a point for corner;

Thence, North 70° 25' 58" East, 50.00 feet to a point for corner, the beginning of a curve;

Thence, 44.15 feet along the arc of a non-tangent curve to the left, having a radius of 25.00 feet, a central angle of $101^{\circ} 11' 22''$, and a chord which bears South $70^{\circ} 09' 43''$ East, 38.63 feet to a point for corner;

Thence, North $59^{\circ} 14' 36''$ East, 124.76 feet to a point for corner;

Thence, South $30^{\circ} 45' 24''$ East, 50.00 feet to a point for corner;

Thence, North $59^{\circ} 14' 36''$ East, 103.03 feet to a point for corner;

Thence, South $30^{\circ} 45' 24''$ East, 53.19 feet to a point for corner;

Thence, South $17^{\circ} 41' 39''$ East, 206.71 feet to a point for corner;

Thence, South $10^{\circ} 09' 58''$ East, 72.02 feet to a point for corner;

Thence, South $02^{\circ} 38' 23''$ East, 85.40 feet to a point for corner;

Thence, South $87^{\circ} 21' 37''$ West, 736.73 feet to a point for corner;

Thence, South $02^{\circ} 14' 58''$ East, 763.74 feet to a point for corner;

Thence, South $71^{\circ} 57' 57''$ West, 57.74 feet to a point for corner, the beginning of a curve;

Thence, 117.29 feet along the arc of a tangent curve to the right, having a radius of 275.00 feet, a central angle of $24^{\circ} 26' 11''$, and a chord which bears South $84^{\circ} 11' 03''$ West, 116.40 feet to a point for corner, the beginning of a compound curve;

Thence, 44.87 feet along the arc of a tangent curve to the right, having a radius of 25.00 feet, a central angle of $102^{\circ} 50' 07''$, and a chord which bears North $32^{\circ} 10' 48''$ West, 39.09 feet to a point for corner;

Thence, North $70^{\circ} 45' 45''$ West, 50.00 feet to a point for corner, the beginning of a curve;

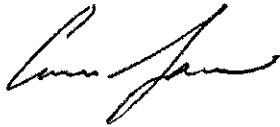
21.885 acres

March 3, 2022
LJAS001-1019-3062

Thence, 207.82 feet along the arc of a non-tangent curve to the right, having a radius of 975.00 feet, a central angle of $12^{\circ} 12' 44''$, and a chord which bears South $25^{\circ} 20' 37''$ West, 207.42 feet to a point for corner;

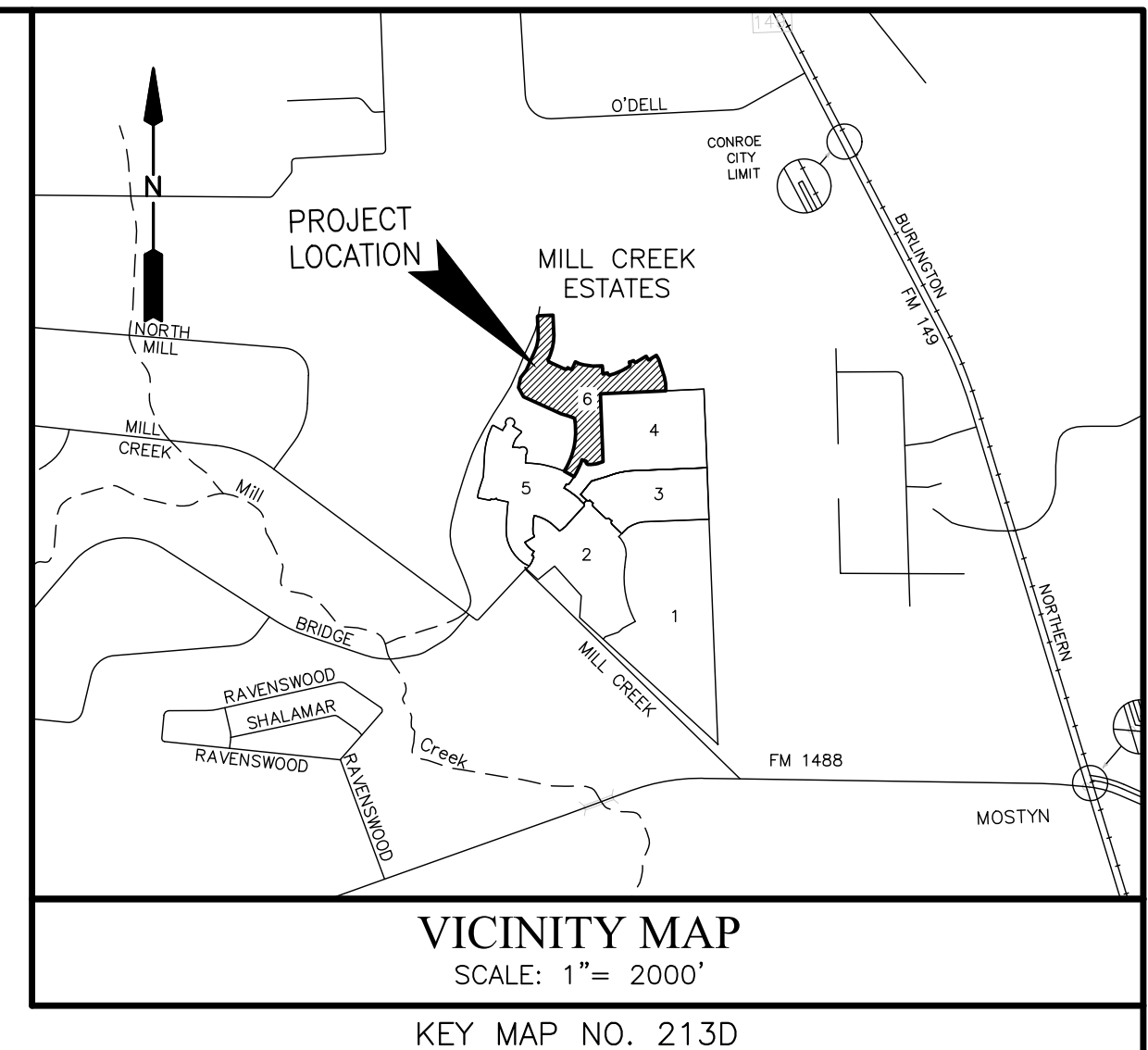
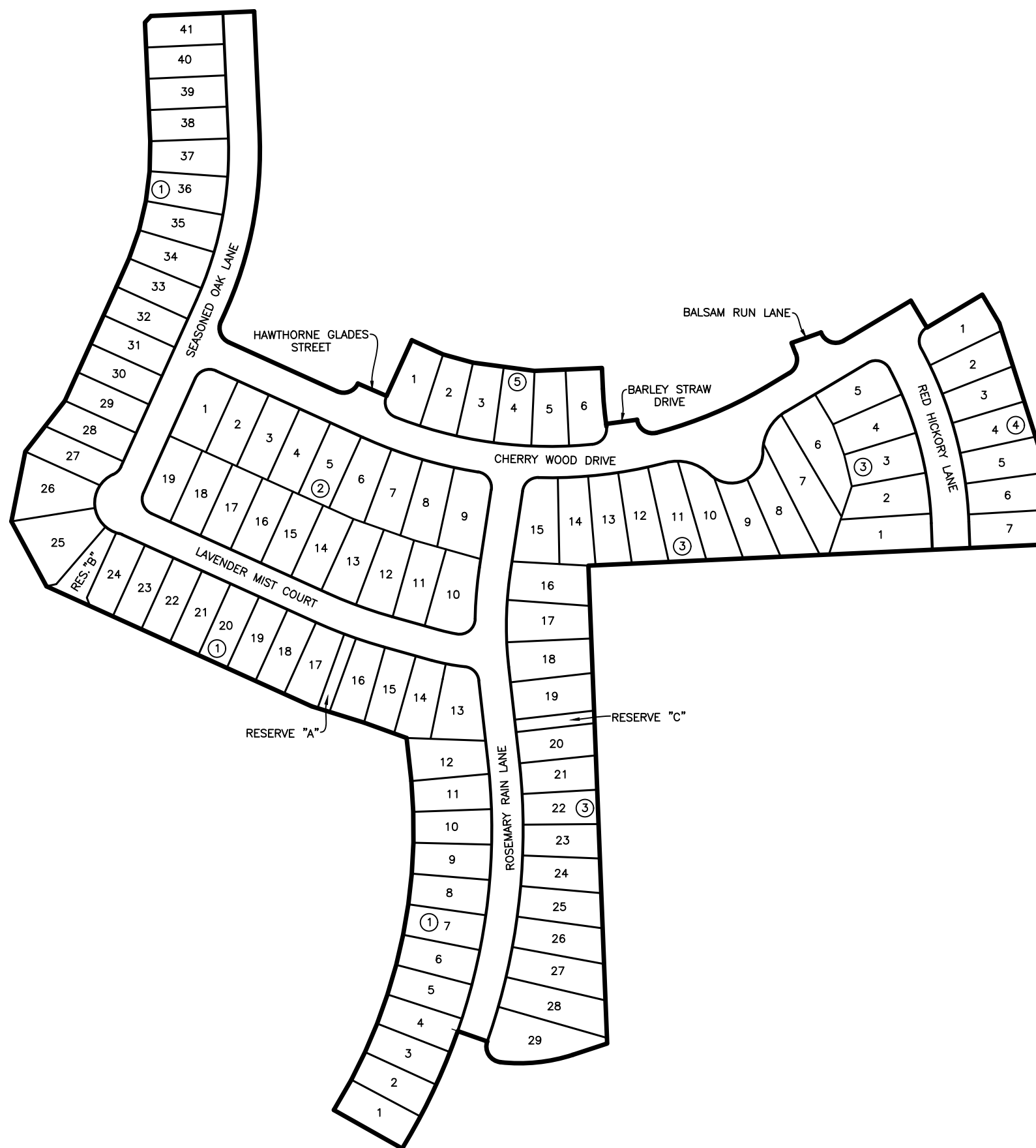
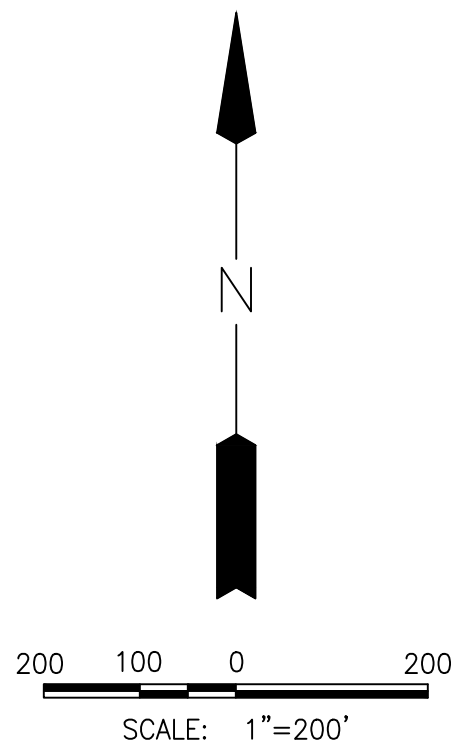
Thence, North $60^{\circ} 34' 05''$ West, 125.22 feet to the POINT OF BEGINNING and containing 21.885 acres of land.

Corner monuments were not set at the client's request.



Cameron S. Lowe, RPLS, PLS
Texas Registration No. 6713
LJA Surveying, Inc.





MILL CREEK ESTATES SECTION 6A

A SUBDIVISION OF 21.885 ACRES OF LAND SITUATED IN
THE JOHN B. RICHARDS SURVEY, ABSTRACT 449,
CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS.

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

DATE: MARCH 7, 2022

102 LOTS
5 BLOCKS
3 RESERVES
0.227 ACRES IN RESERVE

SURVEYOR:

LJA Surveying, Inc.
3600 W Sam Houston Parkway S Phone 713.953.5200
Suite 175 Fax 713.953.5026
Houston, Texas 77042 T.B.P.E.L.S. Firm No. 10194382

ENGINEER:

LJA Engineering, Inc.
3600 W Sam Houston Parkway S Phone 713.953.5200
Suite 600 Fax 713.953.5026
Houston, Texas 77042 FRN - F-1386

STATE OF TEXAS
COUNTY OF MONTGOMERY

WE, JUSTINE C. KLINKE AND BRIAN STIDHAM, VICE PRESIDENT AND DEVELOPMENT DIRECTOR, RESPECTIVELY OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MILL CREEK ESTATES SECTION 6A, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, ACCORDING TO THE LINES, STREETS, LOTS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREIN SHOWN, AND DESIGNATE SAID SUBDIVISION AS MILL CREEK ESTATES SECTION 6A, LOCATED IN THE JOHN B. RICHARDS SURVEY, ABSTRACT 449, MONTGOMERY COUNTY, TEXAS, AND ON BEHALF OF SAID FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION; AND DEDICATE TO PUBLIC USE, AS SUCH, THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN THEREON FOREVER; AND DO HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED FOR THE STREETS AND ALLEYS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE OF ANY PORTION OF STREETS OR ALLEYS TO CONFORM TO SUCH GRADES; AND DO HEREBY BIND OURSELVES, OUR SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

THIS IS TO CERTIFY THAT WE, JUSTINE C. KLINKE AND BRIAN STIDHAM, VICE PRESIDENT AND DEVELOPMENT DIRECTOR, RESPECTIVELY OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MILL CREEK ESTATES SECTION 6A, HAVE COMPLIED WITH OR WILL COMPLY WITH ALL REGULATIONS HERETOFORE ON FILE WITH THE MONTGOMERY COUNTY ENGINEER AND ADOPTED BY THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS.

FURTHER, WE, FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, DO HEREBY DEDICATE FOREVER TO THE PUBLIC A STRIP OF LAND A MINIMUM OF FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN THE SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING MONTGOMERY COUNTY AND/OR ANY OTHER PUBLIC AGENCY THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTING AND/OR MAINTAINING DRAINAGE WORK AND/OR STRUCTURES.

FURTHER, ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP SHALL BE RESTRICTED IN ITS USE, WHICH RESTRICTIONS SHALL RUN WITH THE TITLE OF THE PROPERTY, AND SHALL BE ENFORCEABLE, AT THE OPTION OF MONTGOMERY COUNTY, BY MONTGOMERY COUNTY OR ANY CITIZEN THEREOF, BY INJUNCTION, AS FOLLOWS:

1. THE DRAINAGE OF SEPTIC TANKS INTO ROAD, STREET, ALLEY, OR OTHER PUBLIC DITCHES, EITHER DIRECTLY OR INDIRECTLY, IS STRICTLY PROHIBITED.
2. DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER, AND SHALL BE A MINIMUM OF ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER PIPE CULVERT).

FURTHER, WE DO HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS ON THIS PLAT ARE ORIGINALLY INTENDED FOR THE CONSTRUCTION OF RESIDENTIAL DWELLING UNITS THEREON AND SHALL BE RESTRICTED FOR THE SAME UNDER THE TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY, UNLESS OTHERWISE NOTED.

FURTHER, OWNERS DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION OF MILL CREEK ESTATES SECTION 6A WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY WHEREOF, THE FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JUSTINE C. KLINKE, ITS VICE PRESIDENT, THEREUNTO AUTHORIZED, BY ITS DEVELOPMENT DIRECTOR, BRIAN STIDHAM, THIS DAY OF _____, 2022.

FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION

BY: _____
JUSTINE C. KLINKE, VICE PRESIDENT

ATTEST: _____
BRIAN STIDHAM, DEVELOPMENT DIRECTOR

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JUSTINE C. KLINKE, VICE PRESIDENT OF OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRIAN STIDHAM, DEVELOPMENT DIRECTOR OF OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, 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 PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, CAMERON S. LOWE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT THE ELEVATION BENCHMARK REFLECTED ON THE FACE OF THE PLAT WAS ESTABLISHED AS REQUIRED BY REGULATION; THAT ALL CORNERS AND ANGLE POINTS OF THE BOUNDARIES OF THE ORIGINAL TRACT TO BE SUBDIVIDED OF REFERENCE HAVE BEEN MARKED WITH IRON RODS HAVING A DIAMETER OF NOT LESS THAN FIVE-EIGHTHS OF AN INCH (5/8") AND A LENGTH OF NOT LESS THAN THREE FEET (3'); AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

CAMERON S. LOWE, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6713

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MILL CREEK ESTATES SECTION 6A AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE CHAIRMAN, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 2022, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

CHAIRMAN

CITY SECRETARY

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, HAS ACCEPTED THIS PLAT AND SUBDIVISION OF MILL CREEK ESTATES SECTION 6A AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 2022, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

TODD KANA
MAYOR

CITY SECRETARY

I, MARK J. MOONEY, P.E., COUNTY ENGINEER OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE MONTGOMERY COUNTY COMMISSIONERS' COURT.

I FURTHER CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH REQUIREMENTS FOR INTERNAL SUBDIVISION DRAINAGE AS ADOPTED BY THE MONTGOMERY COUNTY COMMISSIONERS' COURT; HOWEVER, NO CERTIFICATION IS HEREBY GIVEN AS TO THE EFFECT OF DRAINAGE FROM THIS SUBDIVISION ON THE INTERCEPTING DRAINAGE ARTERY OR PARENT STREAM OR ON ANY OTHER AREA OF SUBDIVISION WITHIN THE WATERSHED.

MARK J. MOONEY, P.E.
MONTGOMERY COUNTY ENGINEER

APPROVED BY THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS, THIS _____ DAY OF _____, 2022.

ROBERT C. WALKER
COMMISSIONER, PRECINCT 1

CHARLIE RILEY
COMMISSIONER, PRECINCT 2

MARK KEOUGH
COUNTY JUDGE

JAMES L. NOACK
COMMISSIONER, PRECINCT 3

JAMES METTS
COMMISSIONER, PRECINCT 4

STATE OF TEXAS
COUNTY OF MONTGOMERY

I, MARK TURNBULL, CLERK OF THE COUNTY COURT OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2022, AT _____ O'CLOCK _____M., AND DULY RECORDED ON _____, 2022, AT _____ O'CLOCK _____M., IN CABINET _____ SHEET _____, OF RECORD OF _____ MAP FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT CONROE, MONTGOMERY COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

MARK TURNBULL, CLERK, COUNTY COURT,
MONTGOMERY COUNTY, TEXAS

BY: _____
DEPUTY

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

MILL CREEK ESTATES
SECTION 6A


SHEET 2 OF 4

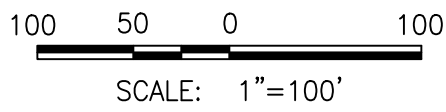
ROBIN GEORGE SURVEY
ABSTRACT 465

THOMAS G. ALLAN SURVEY
ABSTRACT 64

BALSAM RUN LANE

P.O.B.
NAD83 GRID COORDINATES
X= 3,756,347.15
Y= 10,081,138.79

B.L.	INDICATES BUILDING LINE
U.E.	INDICATES UTILITY EASEMENT
A.E.	INDICATES AERIAL EASEMENT
W.L.E.	INDICATES WATER LINE EASEMENT
S.S.E.	INDICATES SANITARY SEWER EASEMENT
STM.S.E.	INDICATES STORM SEWER EASEMENT
D.E.	INDICATES DRAINAGE EASEMENT
DOC. NO.	INDICATES DOCUMENT NUMBER
CAB.	INDICATES CABINET
SHTS.	INDICATES SHEETS
M.C.M.R.	INDICATES MONTGOMERY COUNTY MAP RECORDS
M.C.D.R.	INDICATES MONTGOMERY COUNTY DEED RECORDS
M.C.O.P.R.	INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS
R.O.W.	INDICATES RIGHT-OF-WAY
	INDICATES STREET NAME CHANGE
P.O.B.	INDICATES POINT OF BEGINNING
(F)	INDICATES FOUND 5/8" INCH IRON ROD WITH CAP STAMPED "LJA SURVEY"
(S)	INDICATES SET 5/8" INCH IRON ROD WITH CAP STAMPED "LJA SURVEY"



RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	0.058	2,508	RESTRICTED TO OPEN SPACE
B	0.111	4,818	RESTRICTED TO LANDSCAPE/OPEN SPACE
C	0.058	2,539	RESTRICTED TO OPEN SPACE
TOTAL	0.227	9,865	

MILL CREEK ESTATES
SECTION 4
CAB. Z, SHTS. _____-_____
M.C.M.R.

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 30°00'04" E	55.77'
L2	N 26°19'25" E	49.34'
L3	N 22°59'51" E	49.34'
L4	N 19°40'17" E	49.34'
L5	N 16°20'43" E	49.34'
L6	N 13°01'09" E	49.34'
L7	N 09°41'35" E	49.34'
L8	N 06°22'01" E	49.34'
L9	N 03°02'28" E	49.34'
L10	N 00°17'06" W	49.34'
L11	N 03°36'40" W	49.34'
L12	N 06°21'12" W	69.18'
L13	N 70°15'36" W	72.26'
L14	N 72°38'38" W	87.61'
L15	N 28°24'10" W	117.85'
L16	N 11°15'42" E	113.68'
L17	N 37°56'59" E	102.89'
L18	N 24°02'54" E	49.33'
L19	N 19°21'55" E	47.87'
L20	N 13°16'02" E	47.87'
L21	N 07°10'09" E	47.87'
L22	N 01°05'47" E	47.87'
L23	N 42°27'58" E	14.14'
L24	S 24°20'42" W	16.23'
L25	S 65°39'18" E	190.00'
L26	S 66°34'19" E	50.01'
L27	N 24°20'42" E	97.69'
L28	S 65°39'18" E	54.90'
L29	S 74°38'51" E	49.65'
L30	S 82°20'19" E	99.20'
L31	N 87°27'58" E	107.81'
L32	S 02°32'02" E	33.21'
L33	N 82°17'44" E	50.00'
L34	N 59°14'36" E	43.17'
L35	N 70°25'58" E	50.00'
L36	N 59°14'36" E	124.76'
L37	S 30°45'24" E	50.00'
L38	N 59°14'36" E	103.03'
L39	S 30°45'24" E	53.19'
L40	S 10°09'58" E	72.02'
L41	S 02°38'23" E	85.40'
L42	S 71°57'57" W	57.74'
L43	N 70°45'45" W	50.00'
L44	N 60°34'05" W	125.22'
L45	S 24°20'42" W	16.23'
L46	S 74°18'29" E	79.34'
L47	N 89°01'00" W	13.65'
L48	S 83°07'12" W	1.25'
L49	N 59°14'36" E	89.80'
L50	N 24°20'42" E	50.40'
L51	N 10°09'24" W	28.43'
L52	N 22°59'37" W	42.50'
L53	S 30°45'24" E	24.85'
L54	S 02°14'58" E	42.37'
L55	S 02°14'58" E	42.17'
L56	N 02°14'58" W	42.57'
L57	N 74°18'29" W	79.34'
L58	N 74°18'29" W	79.34'
L59	S 19°49'27" W	125.01'
L60	N 19°49'27" E	125.87'
L61	S 24°20'42" W	113.73'
L62	S 20°39'18" E	14.14'
L63	N 77°30'46" E	16.01'
L64	N 83°28'49" E	127.68'
L65	S 83°28'49" W	126.18'
L66	N 13°41'55" W	51.85'
L67	N 20°18'14" W	51.85'
L68	N 30°45'24" W	55.86'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	625.00'	26°52'44"	293.20'	S 10°54'20" W	290.52'
C2	25.00'	90°00'00"	39.27'	S 20°39'18" E	35.36'
C3	25.00'	90°00'00"	39.27'	N 69°20'42" E	35.36'
C4	625.00'	5°10'14"	56.40'	S 05°07'09" E	56.38'
C5	25.00'	96°54'31"	42.28'	S 56°09'31" E	37.42'
C6	675.00'	16°08'37"	190.19'	N 67°18'55" E	189.56'
C7	25.00'	82°01'57"	35.79'	N 18°13'37" E	32.81'
C8	325.00'	3°13'19"	18.28'	N 21°10'41" W	18.27'
C9	25.00'	101°11'22"	44.15'	S 70°09'43" E	38.63'
C10	275.00'	24°26'11"	117.29'	S 84°11'03" W	116.40'
C11	25.00'	102°50'07"	44.87'	N 32°10'48" W	39.09'
C12	975.00'	12°12'44"	207.82'	S 25°20'37" W	207.42'
C13	600.00'	26°52'44"	281.47'	S 10°54'20" W	278.90'
C14	50.00'	90°00'00"	78.54'	S 20°39'18" E	70.71'
C15	750.00'	8°39'11"	113.27'	S 69°58'54" E	113.16'
C16	300.00'	14°42'31"	77.01'	S 81°39'45" E	76.80'
C17	1000.00'	25°45'26"	449.55'	N 06°21'32" E	445.77'
C18	600.00'	15°06'11"	158.16'	N 01°01'55" E	157.70'
C19	700.00'	34°30'06"	421.52'	S 82°54'21" E	415.18'
C20	700.00'	20°36'00"	251.68'	N 69°32'36" E	250.32'
C21	600.00'	2°27'08"	25.68'	N 08°55'50" W	25.68'
C22	300.00'	11°28'24"	60.07'	N 25°18'14" W	59.97'
C23	600.00'	28°30'26"	298.53'	S 16°30'11" E	295.46'
C24	25.00'	92°50'35"	40.51'	S 22°04'36" E	36.22'
C25	675.00'	27°17'03"	321.44'	S 82°08'25" E	318.41'
C26	25.00'	92°18'21"	40.28'	N 38°03'53" E	36.06'
C27	625.00'	0°23'02"	4.19'	N 07°53'47" W	4.19'
C28	25.00'	87°47'59"	38.31'	S 15°20'37" W	34.67'
C29	630.00'	26°18'25"	289.26'	S 15°24'11" E	286.72'
C30	570.00'	25°51'45"	257.29'	N 15°10'51" W	255.11'
C31	25.00'	92°38'41"	40.42'	N 74°26'04" W	36.16'
C32	75.00'	59°02'24"	77.28'	S 29°43'24" W	73.91'
C33	50.00'	133°37'20"	116.61'	S 67°00'51" W	91.92'
C34	75.00'	58°33'39"	76.66'	N 75°27'18" W	73.36'
C35	725.00'	16°10'40"	204.71'	S 83°21'12" W	204.03'
C36	25.00'	82°51'32"	36.15'	S 50°00'46" W	33.08'
C37	575.00'	15°06'11"	151.57'	S 01°01'55" W	151.13'
C38	1025.00'	25°45'26"	460.79'	S 06°21'32" W	456.92'
C39	975.00'	25°45'26"	438.31'	N 06°21'32" E	434.63'
C40	25.00'	77°25'25"	33.78'	N 45°13'54" W	31.27'
C41	325.00'	9°38'07"	54.65'	N 79°07'33" W	54.59'
C42	775.00'	8°39'11"	117.04'	N 69°58'54" W	116.93'
C43	25.00'	11°44'12"	5.12'	N 71°31'24" W	5.11'
C44	50.00'	143°14'01"	124.99'	N 05°46'29" W	94.90'
C45	25.00'	41°29'50"	18.11'	N 45°05'37" E	17.71'
C46	575.00'	26°52'44"	269.75'	N 10°54'20" E	267.28'
C47	25.00'	90°00'00"	39.27'	N 69°20'42" E	35.36'
C48	725.00'	15°14'41"	192.90'	S 73°16'39" E	192.33'
C49	25.00'	89°28'59"	39.04'	S 36°09'30" E	35.20'
C50	625.00'	7°32'15"	82.22'	S 04°48'53" W	82.16'
C51	25.00'	98°49'34"	43.12'	S 50°27'32" W	37.97'
C52	275.00'	5°49'12"	27.93'	N 77°13'05" W	27.92'
C53	725.00'	8°39'11"	109.49'	N 69°58'54" W	109.39'
C54	25.00'	90°00'00"	39.27'	N 20°39'18" W	35.36'

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (NA2011) EPOCH 2010.00, STATE PLANE GRID COORDINATES (NAD83) MAY BE BROUGHT TO SURFACE BY DIVIDING THE GRID COORDINATE BY 0.9999647066.
2. THE FOLLOWING RESTRICTIONS SHALL PERTAIN TO ANY DRAINAGE EASEMENT CONTAINED WITHIN THE BOUNDARIES OF THIS PLAT.

2.a. PROHIBITS ALL PROPERTIES ABUTTING THE EASEMENT FROM THE CONSTRUCTION OF FENCES OR BUILDINGS, WHETHER TEMPORARY OR PERMANENT, AND THE INSTALLATION OR MAINTENANCE OF PLANTING OR OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY WITHIN THE DRAINAGE EASEMENT.

2.b. PROHIBITS ANY PROPERTY ABUTTING THE DRAINAGE EASEMENT FROM DRAINAGE DIRECTLY INTO THE DRAINAGE EASEMENT EXCEPT BY MEANS OF A DRAINAGE STRUCTURE APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND ENGINEERING OR THE AUTHORIZED PUBLIC DRAINAGE OR FLOOD CONTROL OFFICIAL.
3. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 165 WILL MAINTAIN ALL STORM SEWERS SERVICING THIS PROJECT.
4. FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION, UNLESS OTHERWISE NOTED.
5. BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48339C0480G, MAP REVISED AUGUST 18, 2014. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.
6. BENCHMARK: TSARP MONUMENT 110125: A BRASS DISK STAMPED RM100125 LOCATED ON THE DOWNSTREAM SIDE OF THE KUYKENDAHL ROAD BRIDGE OVER CYPRESS CREEK. THE POINT IS LOCATED +/- 0.60 MILES SOUTHWEST OF THE INTERSECTION OF KUYKENDAHL ROAD AND FLINTRIDGE DRIVE.

ELEVATION = 143.57 FEET (NAVD88 2001 ADJ.)
SURFACE COORDINATES N 10057959.086 E 3810217.487
7. SITE TBM-A – TBM-A: A CHISELED BOX IN CONCRETE ON TOP OF A STORM SEWER CURB INLET WITHIN AN UNDEVELOPED SECTION OF MIL CREEK. THE POINT IS LOCATED +/- 1100 FEET NORTHEAST OF MILL CREEK ROAD AND +/- 2020 FEET NORTH OF FM 1488.

ELEVATION = 216.12 FEET (NAVD88 2001 ADJ.)
SURFACE COORDINATES N 10079696.593 E 3757838.329
8. MINIMUM SLAB ELEVATIONS ARE ESTABLISHED AS THE HIGHEST OF THE FOLLOWING:

8.a. 18 INCHES ABOVE NATURAL GROUND AT THE HIGHEST POINT ON THE PERIMETER OF THE SLAB; OR

8.b. 18 INCHES ABOVE THE HIGHEST ELEVATION OF THE TOP OF CURB ADJACENT TO THE LOT.

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098



May 31, 2022

Mr. Don Doering
City Administrator
City of Magnolia
18111 Buddy Riley Boulevard
Magnolia, Texas 77354

**Reference: *Mill Creek Estates Section 6A Final Plat – Letter of No Objection*
 City of Magnolia
 *AEI Job No. 220530.80-001***

Dear Mr. Doering:

We received the revised final plat for the proposed Mill Creek Estates Section 6A on May 17, 2022, and additional supporting documents on May 26, 2022. On behalf of City of Magnolia (the "City"), we have reviewed the submitted documents and offer no objection to the approval of this project, subject to the following comments:

1. Final plat shall be signed and sealed by a Professional Surveyor licensed in the State of Texas.
2. In the event that any portion of this development may change at a future date, the City reserves the right to review and approve the proposed changes prior to initiating the change.
3. Provide an electronical copy of the final recorded plat to the City Engineer when it becomes available.

Should you have any questions or require additional information, please contact the undersigned or Michael A. Kurzy, P.E. at (281) 350-7027.

Sincerely,

A handwritten signature in blue ink that reads 'Robel E. Giackero'.

Robel E. Giackero, P.E.
Project Engineer

AEI Engineering, a Baxter & Woodman Company
TBPELS Registration No. F-21783

XC: Ms. Tana Ross – City of Magnolia - Planning and Zoning Commission
 Ms. Christian Gable – City of Magnolia - Planning Coordinator
 Mr. Burt Smith – City of Magnolia – Director of Public Works
 Mr. Michael A. Kurzy, P.E. – AEI Engineering, a Baxter & Woodman Company
 Mr. Zachary Zarse – LJA Engineering, Inc.

**City of Magnolia
City Council
Agenda Item Summary**

Date: July 6, 2022

To: City Council

From: Christian Gable, Planning Coordinator

RE: Mill Creek Estates, Sec 6B, Final Plat, +/-8.706 Acres
Agenda Item #13

Background/Information:

An application for a final plat was received on March 7, 2022.

Comments:

On May 31, the City Engineer issued a Letter of No Objection.

Action Requested:

Approve final plat for Mill Creek Section 6B.

Recommendation:

Approve final plat for Mill Creek Section 6B.

Attachments:

Final Plat



Final Plat Application Form

This form shall be submitted with each application for a final plat.

CONTACT INFORMATION

Applicant

LJA Engineering, Inc.- Zach Zarse

Name

3600 W Sam Houston Parkway S Suite 600

Street Address

Houston, TX 77042

City, State Zip

713-580-4100

Phone

Fax

zzarse@lja.com

E-mail

Architect (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Property Owner (if different)

Forestar (USA) Real Estate Group, Inc.

Name

3355 West Alabama Street, Suite 600

Street Address

Houston, TX 77098

City, State Zip

Phone

Fax

thomassikora@forestar.com

E-mail

Engineer/Land Surveyor (if different)

LJA Surveying, Inc.- Cameron S. Lowe

Name

3600 W Sam Houston Parkway S, Suite 175

Street Address

Houston, TX 77042

City, State Zip

713-953-5212

Phone

Fax

clowe@ljasurvey.com

E-mail

Project Name: _____ Subdivision: _____ Reviewer: _____

PROPERTY PROFILE

Legal Description Mill Creek Estates Section 6B 48 3
(Subdivision) (Lot) (Block)

Current Zoning PD

Present Use of Property
Agricultural/ Vacant

Proposed Use of the Property
Single Family Residential

Total Area of Site 8.706

Project Name: _____ Subdivision: _____ Reviewer: _____

1. Description of existing property. If the property has been previously subdivided, provided the lot(s), block(s), and subdivision name. If the property has been subdivided, provide the metes and bounds description:

N/A

2. Description of proposed property change, including lot numbers, name, etc.

Mill Creek Sec 6B, 48 Lots, 3 Blocks, 0 Reserves (0.000 acres)

Required Information

- ☐ Three (3) copies of the final plat; minimum 20 in. x 24 in. size Mylar originals sealed by a state of Texas registered surveyor
- ☐ Twelve (12) copies in black or blue line copies of the original Mylar final plat
- ☐ Twelve (12) copies of a "letter of explanation" explaining the details of the final plat
- ☐ One (1) copy in blue or black line of all originals in 11 in. x 17 in. size
- ☐ All fees
- ☐ One (1) Adobe Acrobat PDF of each page presented to the City for review
- ☐ Owner affidavit of no conveyance of any interest and that no additional liens exist on the land within the plat since the date of the original title opinion (title search)
- ☐ Tax certificates; City, County, and School
- ☐ Final plans and specifications for all required improvements
- ☐ Vicinity map
- ☐ North arrow
- ☐ Revision date
- ☐ Legal description
- ☐ Scale
- ☐ Contour lines (at one-foot intervals)
- ☐ Tabulations that include:
 - ☐ The number of lots in the subdivision
 - ☐ The size of the parcel
 - ☐ The number of dwelling units proposed (provided on a separated attached description)
 - ☐ The number of square feet of nonresidential floor area proposed, by generalized use (provided on a separate attached description)
 - ☐ Water available for fire protection
- ☐ Use and ownership of abutting parcels or lots
- ☐ Location and dimensions (including all curve data, the lengths of all arcs, radii, internal angles, points of curvature, lengths and bearings of tangents) of:
 - ☐ Right-of-way, streets, alleys, railroads, lots, open space, parks, protected natural resources, and buffers
 - ☐ Utility and access easements
 - ☐ Private access easements

Project Name: _____ Subdivision: _____ Reviewer: _____

- ☐ The outer boundary lines of the parcel proposed for subdivision, with accurate distances, angles, and true bearings if available, and the exact location width of all recorded streets and ways intersecting the boundaries of the parcel being platted
- ☐ Distances and angles, or true bearings if available, to the established street lines or official monuments, which shall be accurately described on the plat
- ☐ Proposed names of streets
- ☐ Linear footage of proposed new right-of-way
- ☐ All block indications, if any; lot numbers; all individual areas designated by number or letter, and lots in new subdivision, numbered consecutively
- ☐ The accurate location, material, type and description of all permanent control monuments. Where no established bench mark exists, show permanent bench marks that have been established on the property based on mean sea level datum and shown on the plat
- ☐ Delineation and area of special use areas, including the location and size of proposed parks, playgrounds, protected resources and open spaces, sites for places of public assembly (including schools) or other special uses of land to be considered for dedication to public use, and of all property that may be granted by deed and covenants for the common use of the property owners in the subdivision, along with statements for responsibility for maintenance. Actual use descriptions must be provided on a separate attached description
- ☐ Proposed generalized use of lots (*e.g.*, mixed-use, single-family attached, multi-family, industrial, commercial or office, or institutional), provided on a separate attached description
- ☐ Proposed location, size, and linear footage of proposed potable water lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of natural gas lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of sanitary sewer lines and sewerage facilities, except individual treatment systems provided on utility and street construction plans
- ☐ Proposed location of fire hydrants, provided on utility and street construction plans
- ☐ If the proposed subdivision is to be constructed in several phases, a staging plan that shows how the subdivision improvements will be phased. Anticipated time lines for construction of the improvements shall be provided on a separate attached description
- ☐ If the proposed subdivision is one of several phases, conceptual plans for the other phases
- ☐ Traffic study (if necessary)
- ☐ All required notes, certifications, and signatures

I, Zach Zarse (print or type name), certify with my signature below that the information included in my submittal packet is complete, true, and correct, to the best of my knowledge.



Signature of Applicant

03/07/2022

Date

Project Name: _____ Subdivision: _____ Reviewer: _____

March 3, 2022
LJAS001-1019-3062

DESCRIPTION OF
MILL CREEK SECTION 6B
8.706 ACRES

Being 8.706 acres of land located in the John B. Richards Survey, Abstract Number 449, Montgomery County, Texas, out of the 92.22 acre tract conveyed to Forestar (USA) Real Estate Group Inc. by an instrument of record in Document Number 2021047873, of the Official Public Records of said Montgomery County, Texas (M.C.O.P.R.), said 8.706 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, Central Zone, NAD83);

COMMENCING for reference, at a 5/8 inch iron rod with cap stamped "LJA SURVEY" previously set marking the northwest corner of said 92.22 acre tract, said point lying on the south line of that certain called 16.492 acre tract described in the deed to Mike H. Garner, recorded under Document Number 2007-087796 of the Official Public records of Real Property Montgomery County, Texas (M.C.O.P.R.R.P.), from which a 5/8 inch iron rod with cap stamped "LJA SURVEY" previously set marking the northeast corner of said 92.22 acre tract and the southeast corner of that certain called 75.69 acre tract described in deed to Mike H. Garner, recorded under Document Number 2005-072134 M.C.O.P.R.R.P., said point lying on the west line of that certain called 15.000 acre tract described in the deed to Mark W. McQuiggin and Angela B. McQuiggin, recorded under Document Number 2020026327, M.C.O.P.R., bears, North 87° 17' 58" East, passing at 37.32 feet to the southeast corner of said 16.492 acre tract and the southwest corner of said 75.69 acre tract, and for a total distance of 2,853.62 feet;

Thence, South 38° 10' 21" East, departing the south line of said 16.492 acre tract, 36.84 feet to the northwest corner and POINT OF BEGINNING of the herein described tract;

Thence, North 87° 17' 58" East, 390.00 feet to a point for corner;

Thence, South 02° 32' 02" East, 126.34 feet to a point for corner;

Thence, South 07° 36' 11" East, 50.20 feet to a point for corner;

Thence, North $87^{\circ} 27' 58''$ East, 95.00 feet to a point for corner;

Thence, South $02^{\circ} 32' 02''$ East, 513.50 feet to a point for corner;

Thence, South $05^{\circ} 06' 56''$ West, 209.12 feet to a point for corner;

Thence, North $82^{\circ} 20' 19''$ West, 58.53 feet to a point for corner;

Thence, North $74^{\circ} 38' 51''$ West, 49.65 feet to a point for corner;

Thence, North $65^{\circ} 39' 18''$ West, 54.90 feet to a point for corner;

Thence, South $24^{\circ} 20' 42''$ West, 97.69 feet to a point for corner;

Thence, North $66^{\circ} 34' 19''$ West, 50.01 feet to a point for corner, the beginning of a curve;

Thence, 39.27 feet along the arc of a non-tangent curve to the right, having a radius of 25.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears South $69^{\circ} 20' 42''$ West, 35.36 feet to a point for corner;

Thence, North $65^{\circ} 39' 18''$ West, 190.00 feet to a point for corner, the beginning of a curve;

Thence, 39.27 feet along the arc of a tangent curve to the right, having a radius of 25.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears North $20^{\circ} 39' 18''$ West, 35.36 feet to a point for corner;

Thence, North $24^{\circ} 20' 42''$ East, 16.23 feet to a point for corner, the beginning of a curve;

Thence, 293.20 feet along the arc of a tangent curve to the left, having a radius of 625.00 feet, a central angle of $26^{\circ} 52' 44''$, and a chord which bears North $10^{\circ} 54' 20''$ East, 290.52 feet to a point for corner;

Thence, North $02^{\circ} 32' 02''$ West, 195.44 feet to a point for corner;

Thence, South $87^{\circ} 27' 58''$ West, 50.00 feet to a point for corner;

Thence, North $02^{\circ} 32' 02''$ West, 109.58 feet to a point for corner, the beginning of a curve;

Thence, 39.27 feet along the arc of a tangent curve to the left, having a radius of 25.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears North $47^{\circ} 32' 02''$ West, 35.36 feet to a point for corner;

Thence, South $87^{\circ} 27' 58''$ West, 14.44 feet to a point for corner;

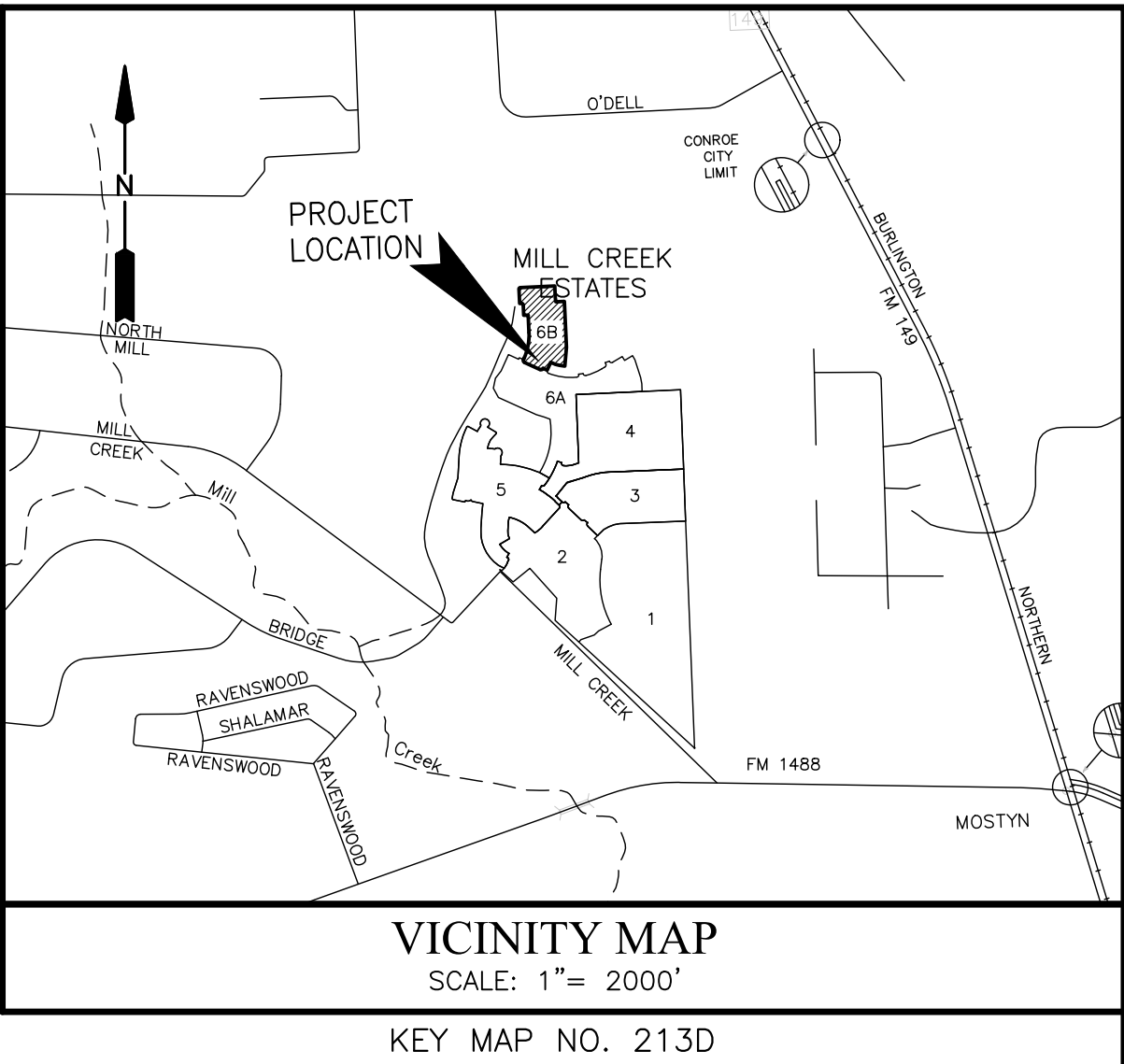
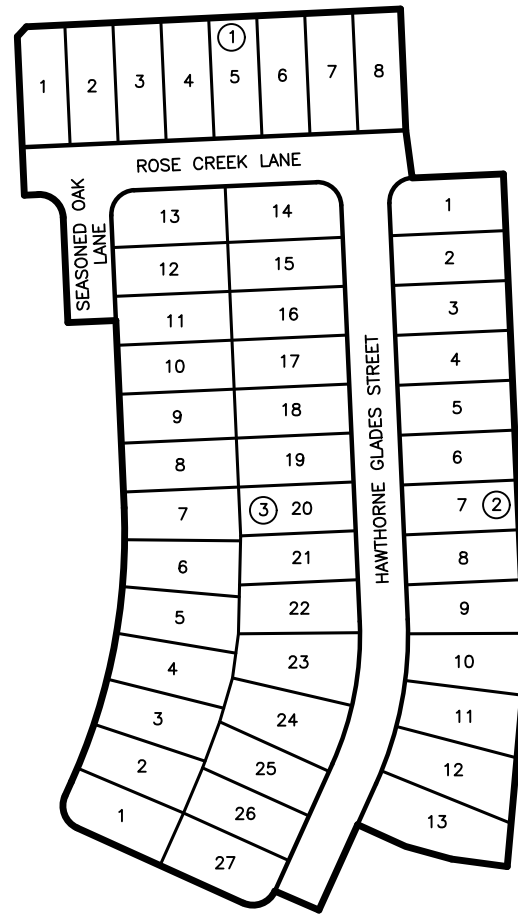
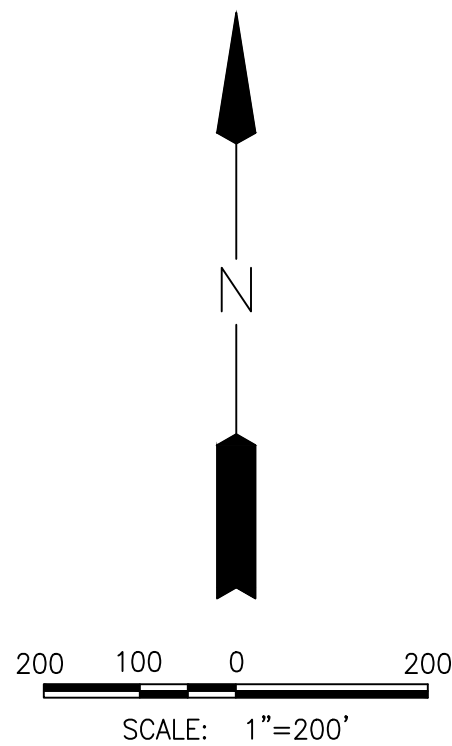
Thence, North $02^{\circ} 32' 02''$ West, 165.18 feet to a point for corner;

Thence, North $42^{\circ} 22' 58''$ East, 14.16 feet to the POINT OF BEGINNING and containing 8.706 acres of land.

Corner monuments were not set at the client's request.

Cameron S. Lowe, RPLS, PLS
Texas Registration No. 6713
LJA Surveying, Inc.





MILL CREEK ESTATES SECTION 6B

A SUBDIVISION OF 8.706 ACRES OF LAND SITUATED IN
THE JOHN B. RICHARDS SURVEY, ABSTRACT 449,
CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS.

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

DATE: MARCH 7, 2022

48 LOTS
3 BLOCKS
0 RESERVES
0.00 ACRES IN RESERVE

SURVEYOR:
LJA Surveying, Inc.
3600 W Sam Houston Parkway S Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.E.L.S. Firm No. 10194382

ENGINEER:
LJA Engineering, Inc.
3600 W Sam Houston Parkway S Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
FRN - F-1386

STATE OF TEXAS
COUNTY OF MONTGOMERY

WE, JUSTINE C. KLINKE AND BRIAN STIDHAM, VICE PRESIDENT AND DEVELOPMENT DIRECTOR, RESPECTIVELY OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MILL CREEK ESTATES SECTION 6B, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, ACCORDING TO THE LINES, STREETS, LOTS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREIN SHOWN, AND DESIGNATE SAID SUBDIVISION AS MILL CREEK ESTATES SECTION 6B, LOCATED IN THE JOHN B. RICHARDS SURVEY, ABSTRACT 449, MONTGOMERY COUNTY, TEXAS, AND ON BEHALF OF SAID FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION; AND DEDICATE TO PUBLIC USE, AS SUCH, THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN THEREON FOREVER; AND DO HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED FOR THE STREETS AND ALLEYS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE OF ANY PORTION OF STREETS OR ALLEYS TO CONFORM TO SUCH GRADES; AND DO HEREBY BIND OURSELVES, OUR SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

THIS IS TO CERTIFY THAT WE, JUSTINE C. KLINKE AND BRIAN STIDHAM, VICE PRESIDENT AND DEVELOPMENT DIRECTOR, RESPECTIVELY OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MILL CREEK ESTATES SECTION 6B, HAVE COMPLIED WITH OR WILL COMPLY WITH ALL REGULATIONS HERETOFORE ON FILE WITH THE MONTGOMERY COUNTY ENGINEER AND ADOPTED BY THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS.

FURTHER, WE, FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, DO HEREBY DEDICATE FOREVER TO THE PUBLIC A STRIP OF LAND A MINIMUM OF FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN THE SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING MONTGOMERY COUNTY AND/OR ANY OTHER PUBLIC AGENCY THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTING AND/OR MAINTAINING DRAINAGE WORK AND/OR STRUCTURES.

FURTHER, ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP SHALL BE RESTRICTED IN ITS USE, WHICH RESTRICTIONS SHALL RUN WITH THE TITLE OF THE PROPERTY, AND SHALL BE ENFORCEABLE, AT THE OPTION OF MONTGOMERY COUNTY, BY MONTGOMERY COUNTY OR ANY CITIZEN THEREOF, BY INJUNCTION, AS FOLLOWS:

1. THE DRAINAGE OF SEPTIC TANKS INTO ROAD, STREET, ALLEY, OR OTHER PUBLIC DITCHES, EITHER DIRECTLY OR INDIRECTLY, IS STRICTLY PROHIBITED.
2. DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER, AND SHALL BE A MINIMUM OF ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER PIPE CULVERT).

FURTHER, WE DO HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS ON THIS PLAT ARE ORIGINALLY INTENDED FOR THE CONSTRUCTION OF RESIDENTIAL DWELLING UNITS THEREON AND SHALL BE RESTRICTED FOR THE SAME UNDER THE TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY, UNLESS OTHERWISE NOTED.

FURTHER, OWNERS DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION OF MILL CREEK ESTATES SECTION 6B WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY WHEREOF, THE FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JUSTINE C. KLINKE, ITS VICE PRESIDENT, THEREUNTO AUTHORIZED, BY ITS DEVELOPMENT DIRECTOR, BRIAN STIDHAM, THIS DAY OF _____, 2022.

FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION

BY: _____
JUSTINE C. KLINKE, VICE PRESIDENT

ATTEST: _____
BRIAN STIDHAM, DEVELOPMENT DIRECTOR

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JUSTINE C. KLINKE, VICE PRESIDENT OF OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRIAN STIDHAM, DEVELOPMENT DIRECTOR OF OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, 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 PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, CAMERON S. LOWE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT THE ELEVATION BENCHMARK REFLECTED ON THE FACE OF THE PLAT WAS ESTABLISHED AS REQUIRED BY REGULATION; THAT ALL CORNERS AND ANGLE POINTS OF THE BOUNDARIES OF THE ORIGINAL TRACT TO BE SUBDIVIDED OF REFERENCE HAVE BEEN MARKED WITH IRON RODS HAVING A DIAMETER OF NOT LESS THAN FIVE-EIGHTHS OF AN INCH (5/8") AND A LENGTH OF NOT LESS THAN THREE FEET (3'); AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

CAMERON S. LOWE, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6713

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MILL CREEK ESTATES SECTION 6B AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE CHAIRMAN, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 2022, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

CHAIRMAN

CITY SECRETARY

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, HAS ACCEPTED THIS PLAT AND SUBDIVISION OF MILL CREEK ESTATES SECTION 6B AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 2022, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

TODD KANA
MAYOR

CITY SECRETARY

I, MARK J. MOONEY, P.E., COUNTY ENGINEER OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE MONTGOMERY COUNTY COMMISSIONERS' COURT.

I FURTHER CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH REQUIREMENTS FOR INTERNAL SUBDIVISION DRAINAGE AS ADOPTED BY THE MONTGOMERY COUNTY COMMISSIONERS' COURT; HOWEVER, NO CERTIFICATION IS HEREBY GIVEN AS TO THE EFFECT OF DRAINAGE FROM THIS SUBDIVISION ON THE INTERCEPTING DRAINAGE ARTERY OR PARENT STREAM OR ON ANY OTHER AREA OF SUBDIVISION WITHIN THE WATERSHED.

MARK J. MOONEY, P.E.
MONTGOMERY COUNTY ENGINEER

APPROVED BY THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS, THIS _____ DAY OF _____, 2022.

ROBERT C. WALKER
COMMISSIONER, PRECINCT 1

CHARLIE RILEY
COMMISSIONER, PRECINCT 2

MARK KEOUGH
COUNTY JUDGE

JAMES L. NOACK
COMMISSIONER, PRECINCT 3

JAMES METTS
COMMISSIONER, PRECINCT 4

STATE OF TEXAS
COUNTY OF MONTGOMERY

I, MARK TURNBULL, CLERK OF THE COUNTY COURT OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2022, AT _____ O'CLOCK _____M., AND DULY RECORDED ON _____, 2022, AT _____ O'CLOCK _____M., IN CABINET _____ SHEET _____, OF RECORD OF _____ MAP FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT CONROE, MONTGOMERY COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

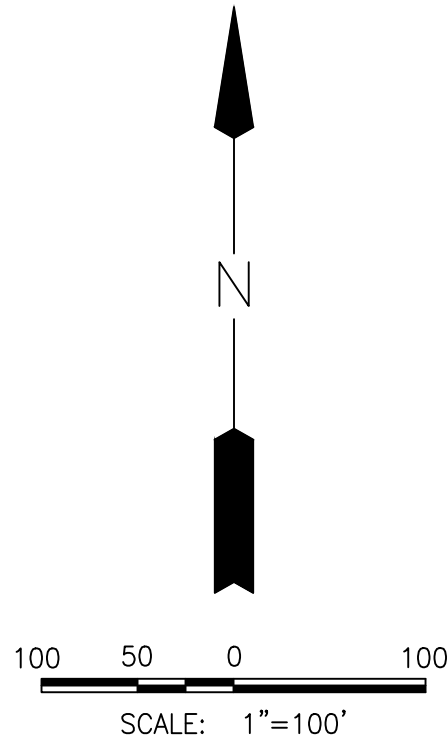
MARK TURNBULL, CLERK, COUNTY COURT,
MONTGOMERY COUNTY, TEXAS

BY: _____
DEPUTY

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

MILL CREEK ESTATES
SECTION 6B

SHEET 2 OF 4



CALLLED 16.492 ACRES
MIKE H. GARNER
DOCUMENT NO. 2007-087796
M.C.O.P.R.R.P.

CALLLED 75.69 ACRES
MIKE H. GARNER
DOCUMENT NO. 2005-072134
M.C.O.P.R.R.P.

P.O.B.

NAD83 GRID COORDINATES
X=3,756,126.68
Y= 10,083,199.03

ROBIN GEORGE SURVEY
ABSTRACT 465

THOMAS G. ALLAN SURVEY
ABSTRACT 64

JOHN B. RICHARDS SURVEY
ABSTRACT 449

CALLLED 303.20 ACRES (PARCEL IV)
FRANK R. MCWHORTER AND
WIFE ELIZABETH M. MCWHORTER
VOL. 1029, PG. 257
M.C.D.R.

CALLLED 92.22 ACRES
FORESTAR (USA)
REAL ESTATE GROUP INC.
DOC. NO. 2021047873
M.C.O.P.R.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 42°22'58" E	14.16'
L2	S 07°36'11" E	50.20'
L3	N 87°27'58" E	95.00'
L4	N 82°20'19" W	58.53'
L5	N 74°38'51" W	49.65'
L6	N 65°39'18" W	54.90'
L7	S 24°20'42" W	97.69'
L8	N 66°34'19" W	50.01'
L9	N 24°20'42" E	16.23'
L10	N 02°32'02" W	195.44'
L11	S 87°27'58" W	50.00'
L12	N 02°32'02" W	109.58'
L13	S 87°27'58" W	14.44'
L14	S 24°07'18" W	59.88'
L15	S 22°53'24" W	51.02'
L16	N 20°27'16" E	51.12'
L17	N 16°22'54" E	47.58'
L18	N 07°29'31" E	46.53'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	25.00'	90°00'00"	39.27'	S 69°20'42" W	35.36'
C2	25.00'	90°00'00"	39.27'	N 20°39'18" W	35.36'
C3	625.00'	26°52'44"	293.20'	N 10°54'20" E	290.52'
C4	25.00'	90°00'00"	39.27'	N 47°32'02" W	35.36'
C5	350.00'	26°52'44"	164.19'	S 10°54'20" W	162.69'
C6	25.00'	90°00'00"	39.27'	S 42°27'58" W	35.36'
C7	375.00'	26°52'44"	175.92'	S 10°54'20" W	174.31'
C8	325.00'	26°52'44"	152.47'	N 10°54'20" E	151.07'
C9	25.00'	90°00'00"	39.27'	N 47°32'02" W	35.36'
C10	25.00'	90°00'00"	39.27'	S 42°27'58" W	35.36'

LEGEND

- B.L. INDICATES BUILDING LINE
U.E. INDICATES UTILITY EASEMENT
A.E. INDICATES AERIAL EASEMENT
W.L.E. INDICATES WATER LINE EASEMENT
S.S.E. INDICATES SANITARY SEWER EASEMENT
STM.S.E. INDICATES STORM SEWER EASEMENT
D.E. INDICATES DRAINAGE EASEMENT
DOC. NO. INDICATES DOCUMENT NUMBER
CAB. INDICATES CABINET
SHTS. INDICATES SHEETS
M.C.M.R. INDICATES MONTGOMERY COUNTY MAP RECORDS
M.C.D.R. INDICATES MONTGOMERY COUNTY DEED RECORDS
M.C.O.P.R. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS
R.O.W. INDICATES RIGHT-OF-WAY
INDICATES STREET NAME CHANGE
P.O.B. INDICATES POINT OF BEGINNING
(F) INDICATES FOUND 5/8" INCH IRON ROD WITH CAP
STAMPED "LJA SURVEY"
(S) INDICATES SET 5/8" INCH IRON ROD WITH CAP
STAMPED "LJA SURVEY"

NOTES:

- BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (NA2011) EPOCH 2010.00, STATE PLANE GRID COORDINATES (NAD83) MAY BE BROUGHT TO SURFACE BY DIVIDING THE GRID COORDINATE BY 0.99999647066.
- THE FOLLOWING RESTRICTIONS SHALL PERTAIN TO ANY DRAINAGE EASEMENT CONTAINED WITHIN THE BOUNDARIES OF THIS PLAT.
 - PROHIBITS ALL PROPERTIES ABUTTING THE EASEMENT FROM THE CONSTRUCTION OF FENCES OR BUILDINGS, WHETHER TEMPORARY OR PERMANENT, AND THE INSTALLATION OR MAINTENANCE OF PLANTING OR OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY WITHIN THE DRAINAGE EASEMENT.
 - PROHIBITS ANY PROPERTY ABUTTING THE DRAINAGE EASEMENT FROM DRAINAGE DIRECTLY INTO THE DRAINAGE EASEMENT EXCEPT BY MEANS OF A DRAINAGE STRUCTURE APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND ENGINEERING OR THE AUTHORIZED PUBLIC DRAINAGE OR FLOOD CONTROL OFFICIAL.
- MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 165 WILL MAINTAIN ALL STORM SEWERS SERVICING THIS PROJECT.
- FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION, UNLESS OTHERWISE NOTED.
- BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48339C0480G, MAP REVISED AUGUST 18, 2014. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.
- BENCHMARK: TSARP MONUMENT 110125: A BRASS DISK STAMPED RM100125 LOCATED ON THE DOWNSTREAM SIDE OF THE KUYKENDAHL ROAD BRIDGE OVER CYPRESS CREEK. THE POINT IS LOCATED +/- 0.60 MILES SOUTHWEST OF THE INTERSECTION OF KUYKENDAHL ROAD AND FLINTRIDGE DRIVE.

ELEVATION = 143.57 FEET (NAVD88 2001 ADJ.)
SURFACE COORDINATES N 10057959.086 E 3810217.487
- SITE TBM-A - TBM-A: A CHISELED BOX IN CONCRETE ON TOP OF A STORM SEWER CURB INLET WITHIN AN UNDEVELOPED SECTION OF MILL CREEK. THE POINT IS LOCATED +/- 1100 FEET NORTHEAST OF MILL CREEK ROAD AND +/- 2020 FEET NORTH OF FM 1488.

ELEVATION = 216.12 FEET (NAVD88 2001 ADJ.)
SURFACE COORDINATES N 10079696.593 E 3757838.329
- MINIMUM SLAB ELEVATIONS ARE ESTABLISHED AS THE HIGHEST OF THE FOLLOWING:
 - 18 INCHES ABOVE NATURAL GROUND AT THE HIGHEST POINT ON THE PERIMETER OF THE SLAB; OR
 - 18 INCHES ABOVE THE HIGHEST ELEVATION OF THE TOP OF CURB ADJACENT TO THE LOT.

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

MILL CREEK ESTATES
SECTION 6B

SHEET 3 OF 4



May 31, 2022

Mr. Don Doering
City Administrator
City of Magnolia
18111 Buddy Riley Boulevard
Magnolia, Texas 77354

**Reference: Mill Creek Estates Section 6B Final Plat – Letter of No Objection
City of Magnolia
AEI Job No. 220531.80-001**

Dear Mr. Doering:

We received the revised final plat for the proposed Mill Creek Estates Section 6B on May 17, 2022, and additional supporting documents on May 26, 2022. On behalf of City of Magnolia (the “City”), we have reviewed the submitted documents and offer no objection to the approval of this project, subject to the following comments:

1. Final plat shall be signed and sealed by a Professional Surveyor licensed in the State of Texas.
2. In the event that any portion of this development may change at a future date, the City reserves the right to review and approve the proposed changes prior to initiating the change.
3. Provide an electronical copy of the final recorded plat to the City Engineer when it becomes available.

Should you have any questions or require additional information, please contact the undersigned or Michael A. Kurzy, P.E. at (281) 350-7027.

Sincerely,

A handwritten signature in blue ink that reads 'Robel E. Giackero'.

Robel E. Giackero, P.E.
Project Engineer

AEI Engineering, a Baxter & Woodman Company
TBPELS Registration No. F-21783

XC: Ms. Tana Ross – City of Magnolia - Planning and Zoning Commission
Ms. Christian Gable – City of Magnolia - Planning Coordinator
Mr. Burt Smith – City of Magnolia – Director of Public Works
Mr. Michael A. Kurzy, P.E. – AEI Engineering, a Baxter & Woodman Company
Mr. Zachary Zarse – LJA Engineering, Inc.

**City of Magnolia
City Council
Agenda Item Summary**

Date: July 6, 2022

To: City Council

From: Christian Gable, Planning Coordinator

RE: Mill Creek Estates, Sec 6C, Final Plat, +/-13.110 Acres
Agenda Item #14

Background/Information:

An application for a final plat was received on March 7, 2022.

Comments:

On May 31, the City Engineer issued a Letter of No Objection.

Action Requested:

Approve final plat for Mill Creek Section 6C.

Recommendation:

Approve final plat for Mill Creek Section 6C.

Attachments:

Final Plat



Final Plat Application Form

This form shall be submitted with each application for a final plat.

CONTACT INFORMATION

Applicant

LJA Engineering, Inc.- Zach Zarse

Name

3600 W Sam Houston Parkway S Suite 600

Street Address

Houston, TX 77042

City, State Zip

713-580-4100

Phone

Fax

zzarse@lja.com

E-mail

Architect (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Property Owner (if different)

Forestar (USA) Real Estate Group, Inc.

Name

3355 West Alabama Street, Suite 600

Street Address

Houston, TX 77098

City, State Zip

Phone

Fax

thomassikora@forestar.com

E-mail

Engineer/Land Surveyor (if different)

LJA Surveying, Inc.- Cameron S. Lowe

Name

3600 W Sam Houston Parkway S, Suite 175

Street Address

Houston, TX 77042

City, State Zip

713-953-5212

Phone

Fax

clowe@ljasurvey.com

E-mail

Project Name: _____ Subdivision: _____ Reviewer: _____

PROPERTY PROFILE

Legal Description Mill Creek Estates Section 6A 102 5
(Subdivision) (Lot) (Block)

Current Zoning PD

Present Use of Property
Agricultural/ Vacant

Proposed Use of the Property
Single Family Residential

Total Area of Site 21.885

Project Name: _____ Subdivision: _____ Reviewer: _____

1. Description of existing property. If the property has been previously subdivided, provided the lot(s), block(s), and subdivision name. If the property has been subdivided, provide the metes and bounds description:

N/A

2. Description of proposed property change, including lot numbers, name, etc.

Mill Creek Sec 6A, 102 Lots, 5 Blocks, 3 Reserves (0.227 acres)

Required Information

- ☐ Three (3) copies of the final plat; minimum 20 in. x 24 in. size Mylar originals sealed by a state of Texas registered surveyor
- ☐ Twelve (12) copies in black or blue line copies of the original Mylar final plat
- ☐ Twelve (12) copies of a "letter of explanation" explaining the details of the final plat
- ☐ One (1) copy in blue or black line of all originals in 11 in. x 17 in. size
- ☐ All fees
- ☐ One (1) Adobe Acrobat PDF of each page presented to the City for review
- ☐ Owner affidavit of no conveyance of any interest and that no additional liens exist on the land within the plat since the date of the original title opinion (title search)
- ☐ Tax certificates; City, County, and School
- ☐ Final plans and specifications for all required improvements
- ☐ Vicinity map
- ☐ North arrow
- ☐ Revision date
- ☐ Legal description
- ☐ Scale
- ☐ Contour lines (at one-foot intervals)
- ☐ Tabulations that include:
 - ☐ The number of lots in the subdivision
 - ☐ The size of the parcel
 - ☐ The number of dwelling units proposed (provided on a separated attached description)
 - ☐ The number of square feet of nonresidential floor area proposed, by generalized use (provided on a separate attached description)
 - ☐ Water available for fire protection
- ☐ Use and ownership of abutting parcels or lots
- ☐ Location and dimensions (including all curve data, the lengths of all arcs, radii, internal angles, points of curvature, lengths and bearings of tangents) of:
 - ☐ Right-of-way, streets, alleys, railroads, lots, open space, parks, protected natural resources, and buffers
 - ☐ Utility and access easements
 - ☐ Private access easements

Project Name: _____ Subdivision: _____ Reviewer: _____

- ☐ The outer boundary lines of the parcel proposed for subdivision, with accurate distances, angles, and true bearings if available, and the exact location width of all recorded streets and ways intersecting the boundaries of the parcel being platted
- ☐ Distances and angles, or true bearings if available, to the established street lines or official monuments, which shall be accurately described on the plat
- ☐ Proposed names of streets
- ☐ Linear footage of proposed new right-of-way
- ☐ All block indications, if any; lot numbers; all individual areas designated by number or letter, and lots in new subdivision, numbered consecutively
- ☐ The accurate location, material, type and description of all permanent control monuments. Where no established bench mark exists, show permanent bench marks that have been established on the property based on mean sea level datum and shown on the plat
- ☐ Delineation and area of special use areas, including the location and size of proposed parks, playgrounds, protected resources and open spaces, sites for places of public assembly (including schools) or other special uses of land to be considered for dedication to public use, and of all property that may be granted by deed and covenants for the common use of the property owners in the subdivision, along with statements for responsibility for maintenance. Actual use descriptions must be provided on a separate attached description
- ☐ Proposed generalized use of lots (*e.g.*, mixed-use, single-family attached, multi-family, industrial, commercial or office, or institutional), provided on a separate attached description
- ☐ Proposed location, size, and linear footage of proposed potable water lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of natural gas lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of sanitary sewer lines and sewerage facilities, except individual treatment systems provided on utility and street construction plans
- ☐ Proposed location of fire hydrants, provided on utility and street construction plans
- ☐ If the proposed subdivision is to be constructed in several phases, a staging plan that shows how the subdivision improvements will be phased. Anticipated time lines for construction of the improvements shall be provided on a separate attached description
- ☐ If the proposed subdivision is one of several phases, conceptual plans for the other phases
- ☐ Traffic study (if necessary)
- ☐ All required notes, certifications, and signatures

I, Zach Zarse (print or type name), certify with my signature below that the information included in my submittal packet is complete, true, and correct, to the best of my knowledge.



Signature of Applicant

03/07/2022

Date

Project Name: _____ Subdivision: _____ Reviewer: _____

March 3, 2022
LJAS001-1019-3062

DESCRIPTION OF
MILL CREEK SECTION 6C
13.110 ACRES

Being 13.110 acres of land located in the John B. Richards Survey, Abstract Number 449, Montgomery County, Texas, out of the 92.22 acre tract conveyed to Forestar (USA) Real Estate Group Inc. by an instrument of record in Document Number 2021047873 of the Official Public Records of said Montgomery County, Texas (M.C.O.P.R.), said 13.110 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, Central Zone, NAD83);

COMMENCING for reference, at a 5/8 inch iron rod with cap stamped "LJA SURVEY" previously set marking the northwest corner of said 92.22 acre tract, said point lying on the south line of that certain called 16.492 acre tract described in the deed to Mike H. Garner, recorded under Document Number 2007-087796 of the Official Public records of Real Property Montgomery County, Texas (M.C.O.P.R.R.P.), from which a 5/8 inch iron rod with cap stamped "LJA SURVEY" previously set marking the northeast corner of said 92.22 acre tract and the southeast corner of that certain called 75.69 acre tract described in deed to Mike H. Garner, recorded under Document Number 2005-072134 M.C.O.P.R.R.P., said point lying on the west line of that certain called 15.000 acre tract described in the deed to Mark W. McQuiggin and Angela B. McQuiggin, recorded under Document Number 2020026327, M.C.O.P.R., bears, North 87° 17' 58" East, passing at 37.32 feet to the southeast corner of said 16.492 acre tract and the southwest corner of said 75.69 acre tract, and for a total distance of 2,853.62 feet;

Thence, South 88° 31' 47" East, departing the south line of said 16.492 acre tract, 412.47 feet to the northwest corner and POINT OF BEGINNING of the herein described tract;

Thence, North 87° 17' 58" East, 715.92 feet to a point for corner;

Thence, South 02° 32' 02" East, 103.43 feet to a point for corner, the beginning of a curve;

Thence, 39.27 feet along the arc of a tangent curve to the left, having a radius of 25.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears South $47^{\circ} 32' 02''$ East, 35.36 feet to a point for corner;

Thence, South $02^{\circ} 32' 02''$ East, 50.00 feet to a point for corner;

Thence, South $87^{\circ} 27' 58''$ West, 61.48 feet to a point for corner;

Thence, South $02^{\circ} 32' 02''$ East, 557.83 feet to a point for corner;

Thence, South $02^{\circ} 32' 29''$ East, 49.86 feet to a point for corner;

Thence, South $12^{\circ} 32' 41''$ East, 51.09 feet to a point for corner;

Thence, South $59^{\circ} 14' 36''$ West, 92.04 feet to a point for corner, the beginning of a curve;

Thence, 44.15 feet along the arc of a tangent curve to the right, having a radius of 25.00 feet, a central angle of $101^{\circ} 11' 22''$, and a chord which bears North $70^{\circ} 09' 43''$ West, 38.63 feet to a point for corner;

Thence, South $70^{\circ} 25' 58''$ West, 50.00 feet to a point for corner, the beginning of a curve;

Thence, 18.28 feet along the arc of a non-tangent curve to the left, having a radius of 325.00 feet, a central angle of $03^{\circ} 13' 19''$, and a chord which bears South $21^{\circ} 10' 41''$ East, 18.27 feet to a point for corner, the beginning of a reverse curve;

Thence, 35.79 feet along the arc of a tangent curve to the right, having a radius of 25.00 feet, a central angle of $82^{\circ} 01' 57''$, and a chord which bears South $18^{\circ} 13' 37''$ West, 32.81 feet to a point for corner;

Thence, South $59^{\circ} 14' 36''$ West, 43.17 feet to a point for corner, the beginning of a curve;

Thence, 190.19 feet along the arc of a tangent curve to the right, having a radius of 675.00 feet, a central angle of $16^{\circ} 08' 37''$, and a chord which bears South $67^{\circ} 18' 55''$ West, 189.56 feet to a point for corner, the beginning of a compound curve;

Thence, 42.28 feet along the arc of a tangent curve to the right, having a radius of 25.00 feet, a central angle of $96^{\circ} 54' 31''$, and a chord which bears North $56^{\circ} 09' 31''$ West, 37.42 feet to a point for corner;

Thence, South $82^{\circ} 17' 44''$ West, 50.00 feet to a point for corner, the beginning of a curve;

Thence, 56.40 feet along the arc of a non-tangent curve to the right, having a radius of 625.00 feet, a central angle of $05^{\circ} 10' 14''$, and a chord which bears North $05^{\circ} 07' 09''$ West, 56.38 feet to a point for corner;

Thence, North $02^{\circ} 32' 02''$ West, 33.21 feet to a point for corner;

Thence, South $87^{\circ} 27' 58''$ West, 107.81 feet to a point for corner;

Thence, North $82^{\circ} 20' 19''$ West, 40.67 feet to a point for corner;

Thence, North $05^{\circ} 06' 56''$ East, 209.12 feet to a point for corner;

Thence, North $02^{\circ} 32' 02''$ West, 513.50 feet to a point for corner;

Thence, South $87^{\circ} 27' 58''$ West, 95.00 feet to a point for corner;

Thence, North $07^{\circ} 36' 11''$ West, 50.20 feet to a point for corner;

13.110 acres

March 3, 2022
LJAS001-1019-3062

Thence, North 02° 32' 02" West, 126.34 feet to the POINT OF BEGINNING and containing 13.110 acres of land.

Corner monuments were not set at the client's request.

Cameron S. Lowe, RPLS, PLS
Texas Registration No. 6713
LJA Surveying, Inc.



STATE OF TEXAS
COUNTY OF MONTGOMERY

WE, JUSTINE C. KLINKE AND BRIAN STIDHAM, VICE PRESIDENT AND DEVELOPMENT DIRECTOR, RESPECTIVELY OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MILL CREEK ESTATES SECTION 6C, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, ACCORDING TO THE LINES, STREETS, LOTS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREIN SHOWN, AND DESIGNATE SAID SUBDIVISION AS MILL CREEK ESTATES SECTION 6C, LOCATED IN THE JOHN B. RICHARDS SURVEY, ABSTRACT 449, MONTGOMERY COUNTY, TEXAS, AND ON BEHALF OF SAID FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION; AND DEDICATE TO PUBLIC USE, AS SUCH, THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN THEREON FOREVER; AND DO HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED FOR THE STREETS AND ALLEYS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE OF ANY PORTION OF STREETS OR ALLEYS TO CONFORM TO SUCH GRADES; AND DO HEREBY BIND OURSELVES, OUR SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

THIS IS TO CERTIFY THAT WE, JUSTINE C. KLINKE AND BRIAN STIDHAM, VICE PRESIDENT AND DEVELOPMENT DIRECTOR, RESPECTIVELY OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MILL CREEK ESTATES SECTION 6C, HAVE COMPLIED WITH OR WILL COMPLY WITH ALL REGULATIONS HERETOFORE ON FILE WITH THE MONTGOMERY COUNTY ENGINEER AND ADOPTED BY THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS.

FURTHER, WE, FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, DO HEREBY DEDICATE FOREVER TO THE PUBLIC A STRIP OF LAND A MINIMUM OF FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN THE SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING MONTGOMERY COUNTY AND/OR ANY OTHER PUBLIC AGENCY THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTING AND/OR MAINTAINING DRAINAGE WORK AND/OR STRUCTURES.

FURTHER, ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP SHALL BE RESTRICTED IN ITS USE, WHICH RESTRICTIONS SHALL RUN WITH THE TITLE OF THE PROPERTY, AND SHALL BE ENFORCEABLE, AT THE OPTION OF MONTGOMERY COUNTY, BY MONTGOMERY COUNTY OR ANY CITIZEN THEREOF, BY INJUNCTION, AS FOLLOWS:

1. THE DRAINAGE OF SEPTIC TANKS INTO ROAD, STREET, ALLEY, OR OTHER PUBLIC DITCHES, EITHER DIRECTLY OR INDIRECTLY, IS STRICTLY PROHIBITED.
2. DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER, AND SHALL BE A MINIMUM OF ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER PIPE CULVERT).

FURTHER, WE DO HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS ON THIS PLAT ARE ORIGINALLY INTENDED FOR THE CONSTRUCTION OF RESIDENTIAL DWELLING UNITS THEREON AND SHALL BE RESTRICTED FOR THE SAME UNDER THE TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY, UNLESS OTHERWISE NOTED.

FURTHER, OWNERS DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION OF MILL CREEK ESTATES SECTION 6C WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY WHEREOF, THE FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JUSTINE C. KLINKE, ITS VICE PRESIDENT, THEREUNTO AUTHORIZED, BY ITS DEVELOPMENT DIRECTOR, BRIAN STIDHAM, THIS DAY OF _____, 2022.

FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION

BY: _____
JUSTINE C. KLINKE, VICE PRESIDENT

ATTEST: _____
BRIAN STIDHAM, DEVELOPMENT DIRECTOR

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JUSTINE C. KLINKE, VICE PRESIDENT OF OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRIAN STIDHAM, DEVELOPMENT DIRECTOR OF OF FORESTAR (USA) REAL ESTATE GROUP, INC., A DELAWARE CORPORATION, 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 PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, CAMERON S. LOWE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT THE ELEVATION BENCHMARK REFLECTED ON THE FACE OF THE PLAT WAS ESTABLISHED AS REQUIRED BY REGULATION; THAT ALL CORNERS AND ANGLE POINTS OF THE BOUNDARIES OF THE ORIGINAL TRACT TO BE SUBDIVIDED OF REFERENCE HAVE BEEN MARKED WITH IRON RODS HAVING A DIAMETER OF NOT LESS THAN FIVE-EIGHTHS OF AN INCH (5/8") AND A LENGTH OF NOT LESS THAN THREE FEET (3'); AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

CAMERON S. LOWE, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6713

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MILL CREEK ESTATES SECTION 6C AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 2020, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

CHAIRMAN

CITY SECRETARY

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, HAS ACCEPTED THIS PLAT AND SUBDIVISION OF MILL CREEK ESTATES SECTION 6C AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 2022, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

TODD KANA
MAYOR

CITY SECRETARY

I, MARK J. MOONEY, P.E., COUNTY ENGINEER OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE MONTGOMERY COUNTY COMMISSIONERS' COURT.

I FURTHER CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH REQUIREMENTS FOR INTERNAL SUBDIVISION DRAINAGE AS ADOPTED BY THE MONTGOMERY COUNTY COMMISSIONERS' COURT; HOWEVER, NO CERTIFICATION IS HEREBY GIVEN AS TO THE EFFECT OF DRAINAGE FROM THIS SUBDIVISION ON THE INTERCEPTING DRAINAGE ARTERY OR PARENT STREAM OR ON ANY OTHER AREA OF SUBDIVISION WITHIN THE WATERSHED.

MARK J. MOONEY, P.E.
MONTGOMERY COUNTY ENGINEER

APPROVED BY THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS, THIS _____ DAY OF _____, 2022.

ROBERT C. WALKER
COMMISSIONER, PRECINCT 1

CHARLIE RILEY
COMMISSIONER, PRECINCT 2

MARK KEOUGH
COUNTY JUDGE

JAMES L. NOACK
COMMISSIONER, PRECINCT 3

JAMES METTS
COMMISSIONER, PRECINCT 4

STATE OF TEXAS
COUNTY OF MONTGOMERY

I, MARK TURNBULL, CLERK OF THE COUNTY COURT OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2022, AT _____ O'CLOCK _____M., AND DULY RECORDED ON _____, 2022, AT _____ O'CLOCK _____M., IN CABINET _____ SHEET _____, OF RECORD OF _____ MAP FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT CONROE, MONTGOMERY COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

MARK TURNBULL, CLERK, COUNTY COURT,
MONTGOMERY COUNTY, TEXAS

BY: _____
DEPUTY

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

MILL CREEK ESTATES
SECTION 6C

SHEET 2 OF 4

LEGEND

- B.L. INDICATES BUILDING LINE
U.E. INDICATES UTILITY EASEMENT
A.E. INDICATES AERIAL EASEMENT
W.L.E. INDICATES WATER LINE EASEMENT
S.S.E. INDICATES SANITARY SEWER EASEMENT
STM.S.E. INDICATES STORM SEWER EASEMENT
D.E. INDICATES DRAINAGE EASEMENT
DOC. NO. INDICATES DOCUMENT NUMBER
CAB. INDICATES CABINET
SHTS. INDICATES SHEETS
M.C.M.R. INDICATES MONTGOMERY COUNTY MAP RECORDS
M.C.D.R. INDICATES MONTGOMERY COUNTY DEED RECORDS
M.C.O.P.R. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS
R.O.W. INDICATES RIGHT-OF-WAY
INDICATES STREET NAME CHANGE
P.O.B. INDICATES POINT OF BEGINNING
(F) INDICATES FOUND 5/8" INCH IRON ROD WITH CAP
STAMPED "LJA SURVEY"
(S) INDICATES SET 5/8" INCH IRON ROD WITH CAP
STAMPED "LJA SURVEY"

CALLED 75.69 ACRES
MIKE H. GARNER
DOCUMENT NO. 2005-072134
M.C.O.P.R.P.

P.O.B.
NAD83 GRID COORDINATES
X=3,756,516.25
Y=10,083,217.40

100 50 0 100
SCALE: 1"=100'

NOTES:

- BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (NA2011) EPOCH 2010.00, STATE PLANE GRID COORDINATES (NAD83) MAY BE BROUGHT TO SURFACE BY DIVIDING THE GRID COORDINATE BY 0.9999647066.
- THE FOLLOWING RESTRICTIONS SHALL PERTAIN TO ANY DRAINAGE EASEMENT CONTAINED WITHIN THE BOUNDARIES OF THIS PLAT.
 - PROHIBITS ALL PROPERTIES ABUTTING THE EASEMENT FROM THE CONSTRUCTION OF FENCES OR BUILDINGS, WHETHER TEMPORARY OR PERMANENT, AND THE INSTALLATION OR MAINTENANCE OF PLANTING OR OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY WITHIN THE DRAINAGE EASEMENT.
 - PROHIBITS ANY PROPERTY ABUTTING THE DRAINAGE EASEMENT FROM DRAINAGE DIRECTLY INTO THE DRAINAGE EASEMENT EXCEPT BY MEANS OF A DRAINAGE STRUCTURE APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND ENGINEERING OR THE AUTHORIZED PUBLIC DRAINAGE OR FLOOD CONTROL OFFICIAL.
- MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 165 WILL MAINTAIN ALL STORM SEWERS SERVICING THIS PROJECT.
- FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION, UNLESS OTHERWISE NOTED.
- BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48339C0480G, MAP REVISED AUGUST 18, 2014. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.

ELEVATION = 143.57 FEET (NAVD88 2001 ADJ.)
SURFACE COORDINATES N 10057959.086 E 3810217.487
- SITE TBM-A - TBM-A: A CHISELED BOX IN CONCRETE ON TOP OF A STORM SEWER CURB INLET WITHIN AN UNDEVELOPED SECTION OF MIL CREEK. THE POINT IS LOCATED +/- 1100 FEET NORTHEAST OF MILL CREEK ROAD AND +/- 2020 FEET NORTH OF FM 1488.

ELEVATION = 216.12 FEET (NAVD88 2001 ADJ.)
SURFACE COORDINATES N 10079696.593 E 3757838.329
- MINIMUM SLAB ELEVATIONS ARE ESTABLISHED AS THE HIGHEST OF THE FOLLOWING:
 - 18 INCHES ABOVE NATURAL GROUND AT THE HIGHEST POINT ON THE PERIMETER OF THE SLAB; OR
 - 18 INCHES ABOVE THE HIGHEST ELEVATION OF THE TOP OF CURB ADJACENT TO THE LOT.

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	25.00'	90°00'00"	39.27'	S 47°32'02" E	35.36'
C2	25.00'	101°11'22"	44.15'	N 70°09'43" W	38.63'
C3	325.00'	3°13'19"	18.28'	S 21°10'41" E	18.27'
C4	25.00'	82°01'57"	35.79'	S 18°13'37" W	32.81'
C5	675.00'	16°08'37"	190.19'	S 67°18'55" W	189.56'
C6	25.00'	96°54'31"	42.28'	N 56°09'31" W	37.42'
C7	625.00'	5°10'14"	56.40'	N 05°07'09" W	56.38'
C8	50.00'	90°00'00"	78.54'	S 47°32'02" E	70.71'
C9	600.00'	5°10'14"	54.15'	S 05°07'09" E	54.13'
C10	300.00'	17°01'59"	89.19'	N 11°03'02" W	88.86'
C11	50.00'	90°00'00"	78.54'	N 42°27'58" E	70.71'
C12	25.00'	21°53'11"	9.55'	N 76°31'23" E	9.49'
C13	50.00'	133°46'21"	116.74'	S 47°32'02" E	91.97'
C14	25.00'	21°53'11"	9.55'	S 08°24'33" W	9.49'
C15	575.00'	5°10'14"	51.89'	S 05°07'09" E	51.87'
C16	25.00'	90°00'00"	39.27'	N 47°32'02" W	35.36'
C17	25.00'	90°00'00"	39.27'	S 42°27'58" W	35.36'
C18	275.00'	17°01'59"	81.75'	S 11°03'02" E	81.45'
C19	325.00'	17°01'59"	96.62'	N 11°03'02" W	96.26'
C20	25.00'	21°53'11"	9.55'	N 13°28'37" W	9.49'
C21	50.00'	133°46'21"	116.74'	N 42°27'58" E	91.97'
C22	25.00'	21°53'11"	9.55'	S 81°35'27" E	9.49'
C23	25.00'	90°00'00"	39.27'	N 42°27'58" E	35.36'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 02°32'02" E	103.43'
L2	S 02°32'02" E	50.00'
L3	S 87°27'58" W	61.48'
L4	S 02°32'29" E	49.86'
L5	S 12°32'41" E	51.09'
L6	S 59°14'36" W	92.04'
L7	S 70°25'58" W	50.00'
L8	S 59°14'36" W	43.17'
L9	S 82°17'44" W	50.00'
L10	N 02°32'02" W	33.21'
L11	S 87°27'58" W	107.81'
L12	N 82°20'19" W	40.67'
L13	S 87°27'58" W	95.00'
L14	N 07°36'11" W	50.20'
L15	S 42°27'58" W	7.00'
L16	S 47°32'02" E	7.00'
L17	N 87°27'58" E	58.93'
L18	N 02°32'02" W	103.28'
L19	N 02°32'02" W	126.60'

CALLED 92.22 ACRES
FORESTAR (USA)
REAL ESTATE GROUP INC.
DOC. NO. 2021047873
M.C.O.P.R.

CALLED 92.22 ACRES
FORESTAR (USA)
REAL ESTATE GROUP INC.
DOC. NO. 2021047873
M.C.O.P.R.

RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	0.045	1,938	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	0.045	1,938	

OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC.
A DELAWARE CORPORATION
3355 WEST ALABAMA STREET, SUITE 210
HOUSTON, TEXAS 77098

MILL CREEK ESTATES
SECTION 6C

SHEET 3 OF 4



May 31, 2022

Mr. Don Doering
City Administrator
City of Magnolia
18111 Buddy Riley Boulevard
Magnolia, Texas 77354

Reference: *Mill Creek Estates Section 6C Final Plat – Letter of No Objection*
City of Magnolia
AEI Job No. 220532.80-001

Dear Mr. Doering:

We received the revised final plat for the proposed Mill Creek Estates Section 6C on May 17, 2022, and additional supporting documents on May 26, 2022. On behalf of City of Magnolia (the "City"), we have reviewed the submitted documents and offer no objection to the approval of this project, subject to the following comments:

1. Final plat shall be signed and sealed by a Professional Surveyor licensed in the State of Texas.
2. In the event that any portion of this development may change at a future date, the City reserves the right to review and approve the proposed changes prior to initiating the change.
3. Provide an electronical copy of the final recorded plat to the City Engineer when it becomes available.

Should you have any questions or require additional information, please contact the undersigned or Michael A. Kurzy, P.E. at (281) 350-7027.

Sincerely,

A handwritten signature in blue ink that reads 'Robel E. Giackero'.

Robel E. Giackero, P.E.
Project Engineer

AEI Engineering, a Baxter & Woodman Company
TBPELS Registration No. F-21783

XC: Ms. Tana Ross – City of Magnolia - Planning and Zoning Commission
 Ms. Christian Gable – City of Magnolia - Planning Coordinator
 Mr. Burt Smith – City of Magnolia – Director of Public Works
 Mr. Michael A. Kurzy, P.E. – AEI Engineering, a Baxter & Woodman Company
 Mr. Zachary Zarse – LJA Engineering, Inc.

**City of Magnolia
City Council
Agenda Item Summary**

Date: July 6, 2022

To: City Council

From: Christian Gable, Planning Coordinator

RE: Magnolia Place, Sec 1, Partial Replat of Reserve A No. 1, +/-1.184 Acres
Agenda Item #15

Background/Information:

An application for a replat was received on June 6, 2022.

Comments:

On June 13, the City Engineer issued a Letter of No Objection.

Action Requested:

Approve final plat for Magnolia Place Section 1 Partial Replat of Reserve A No. 1.

Recommendation:

Approve final plat for Magnolia Place Section 1 Partial Replat of Reserve A No. 1.

Attachments:

Major Modification of Plat / Replat



Major Modification of Plat Application Form

This form shall be submitted with each application for a major modification to a plat.

CONTACT INFORMATION

Applicant

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Architect (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Property Owner (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

Engineer/Land Surveyor (if different)

Name

Street Address

City, State Zip

Phone

Fax

E-mail

PROPERTY PROFILE

Property ID # _____

Legal Description _____
(Subdivision) (Lot) (Block)

Current Zoning _____

Present Use of Property

_____Proposed Use of the Property

Total Area of Site _____

1. Description of existing property. If the property has been previously subdivided, provide the lot(s), block(s), and subdivision name. If the property has been subdivided, provide the metes and bounds description:

2. Description of proposed property change, including lot numbers, name, etc.

Required Information

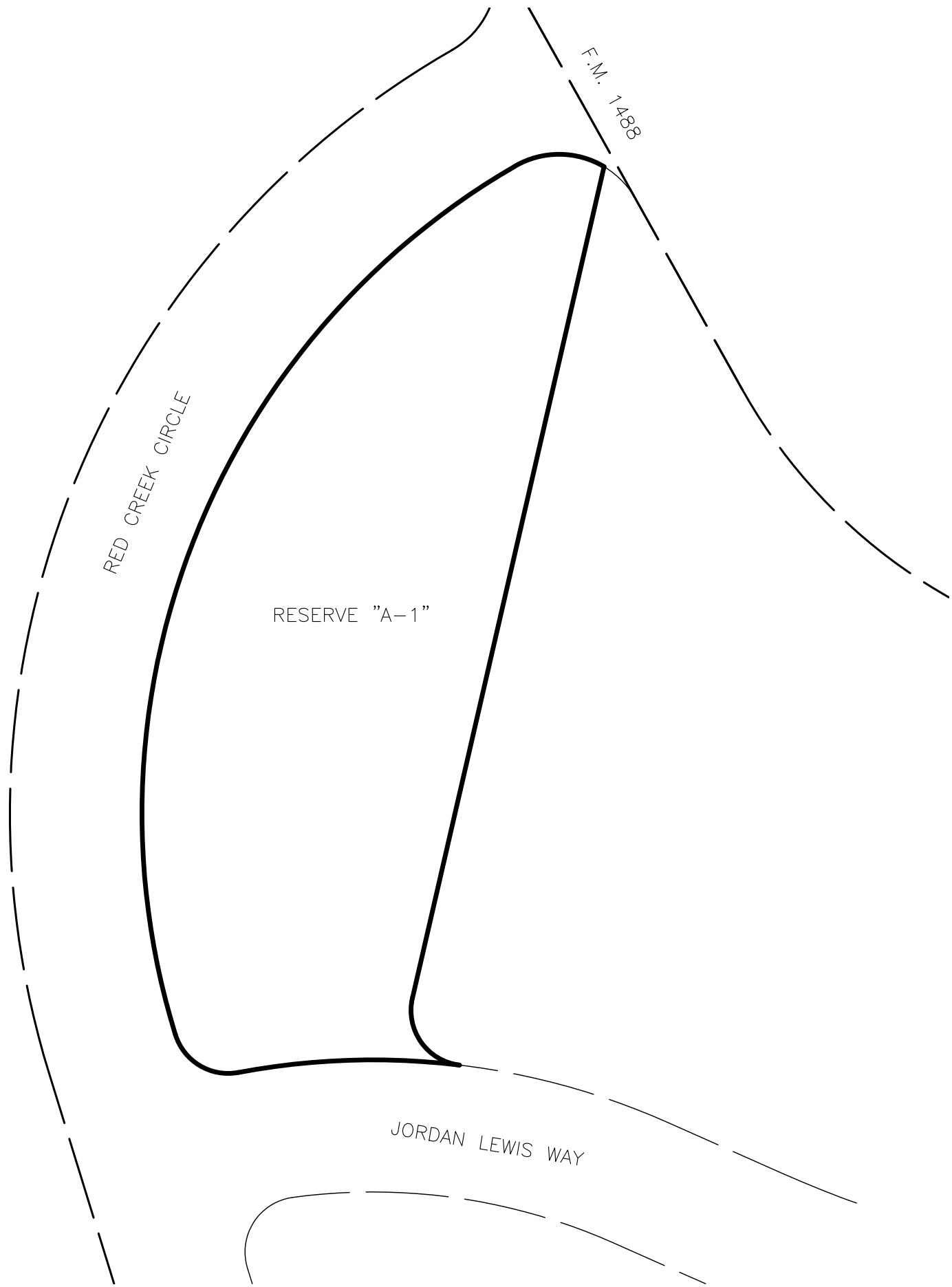
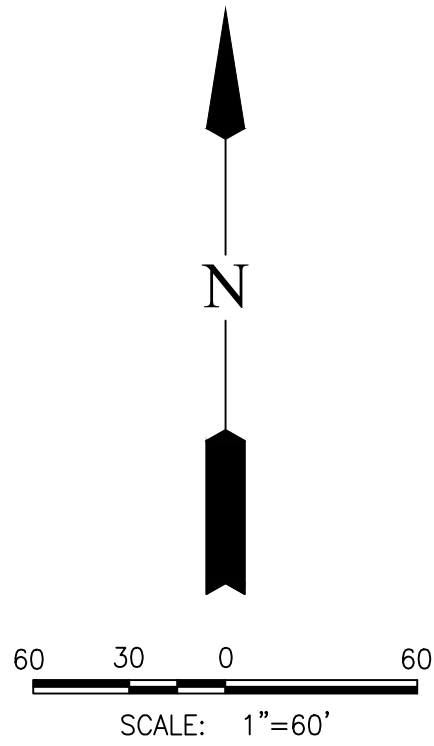
- ☐ Three (3) copies of the final plat; minimum 20 in. x 24 in. size Mylar originals sealed by a state of Texas registered surveyor
- ☐ Two (2) in black or blue line copies of the original Mylar final plat
- ☐ "Letter of explanation" explaining the details of the final plat
- ☐ One (1) copy in blue or black line of all originals in 11 in. x 17 in. size
- ☐ All fees
- ☐ One (1) Adobe Acrobat PDF of each page presented to the City for review
- ☐ Owner affidavit of no conveyance of any interest and that no additional liens exist on the land within the plat since the date of the original title opinion (title search)
- ☐ Tax certificates; City, County, and School
- ☐ Final plans and specifications for all required improvements
- ☐ Vicinity map
- ☐ North arrow
- ☐ Revision date
- ☐ Legal description
- ☐ Scale
- ☐ Contour lines (at one-foot intervals)
- ☐ Tabulations that include:
 - ☐ The number of lots in the subdivision
 - ☐ The size of the parcel
 - ☐ The number of dwelling units proposed (provided on a separated attached description)
 - ☐ The number of square feet of nonresidential floor area proposed, by generalized use (provided on a separate attached description)
 - ☐ Water available for fire protection
- ☐ Use and ownership of abutting parcels or lots
- ☐ Location and dimensions (including all curve data, the lengths of all arcs, radii, internal angles, points of curvature, lengths and bearings of tangents) of:
 - ☐ Right-of-way, streets, alleys, railroads, lots, open space, parks, protected natural resources, and buffers
 - ☐ Utility and access easements
 - ☐ Private access easements

- ☐ The outer boundary lines of the parcel proposed for subdivision, with accurate distances, angles, and true bearings if available, and the exact location width of all recorded streets and ways intersecting the boundaries of the parcel being platted
- ☐ Distances and angles, or true bearings if available, to the established street lines or official monuments, which shall be accurately described on the plat
- ☐ Proposed names of streets
- ☐ Linear footage of proposed new right-of-way
- ☐ All block indications, if any; lot numbers; all individual areas designated by number or letter, and lots in new subdivision, numbered consecutively
- ☐ The accurate location, material, type and description of all permanent control monuments. Where no established bench mark exists, show permanent bench marks that have been established on the property based on mean sea level datum and shown on the plat
- ☐ Delineation and area of special use areas, including the location and size of proposed parks, playgrounds, protected resources and open spaces, sites for places of public assembly (including schools) or other special uses of land to be considered for dedication to public use, and of all property that may be granted by deed and covenants for the common use of the property owners in the subdivision, along with statements for responsibility for maintenance. Actual use descriptions must be provided on a separate attached description
- ☐ Proposed generalized use of lots (*e.g.*, mixed-use, single-family attached, multi-family, industrial, commercial or office, or institutional), provided on a separate attached description
- ☐ Proposed location, size, and linear footage of proposed potable water lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of natural gas lines, provided on a separate utility sheet
- ☐ Proposed location, size, and linear footage of sanitary sewer lines and sewerage facilities, except individual treatment systems provided on utility and street construction plans
- ☐ Proposed location of fire hydrants, provided on utility and street construction plans
- ☐ If the proposed subdivision is to be constructed in several phases, a staging plan that shows how the subdivision improvements will be phased. Anticipated time lines for construction of the improvements shall be provided on a separate attached description
- ☐ If the proposed subdivision is one of several phases, conceptual plans for the other phases
- ☐ Traffic study (if necessary)
- ☐ All required Master Notes
- ☐ All required City certifications and signatures including "Approval" signature line for Planning and Zoning Chair, and "Acceptance" signature line for Mayor

I, _____ (print or type name), certify with my signature below that the information included in my submittal packet is complete, true, and correct, to the best of my knowledge.

Signature of Applicant

Date



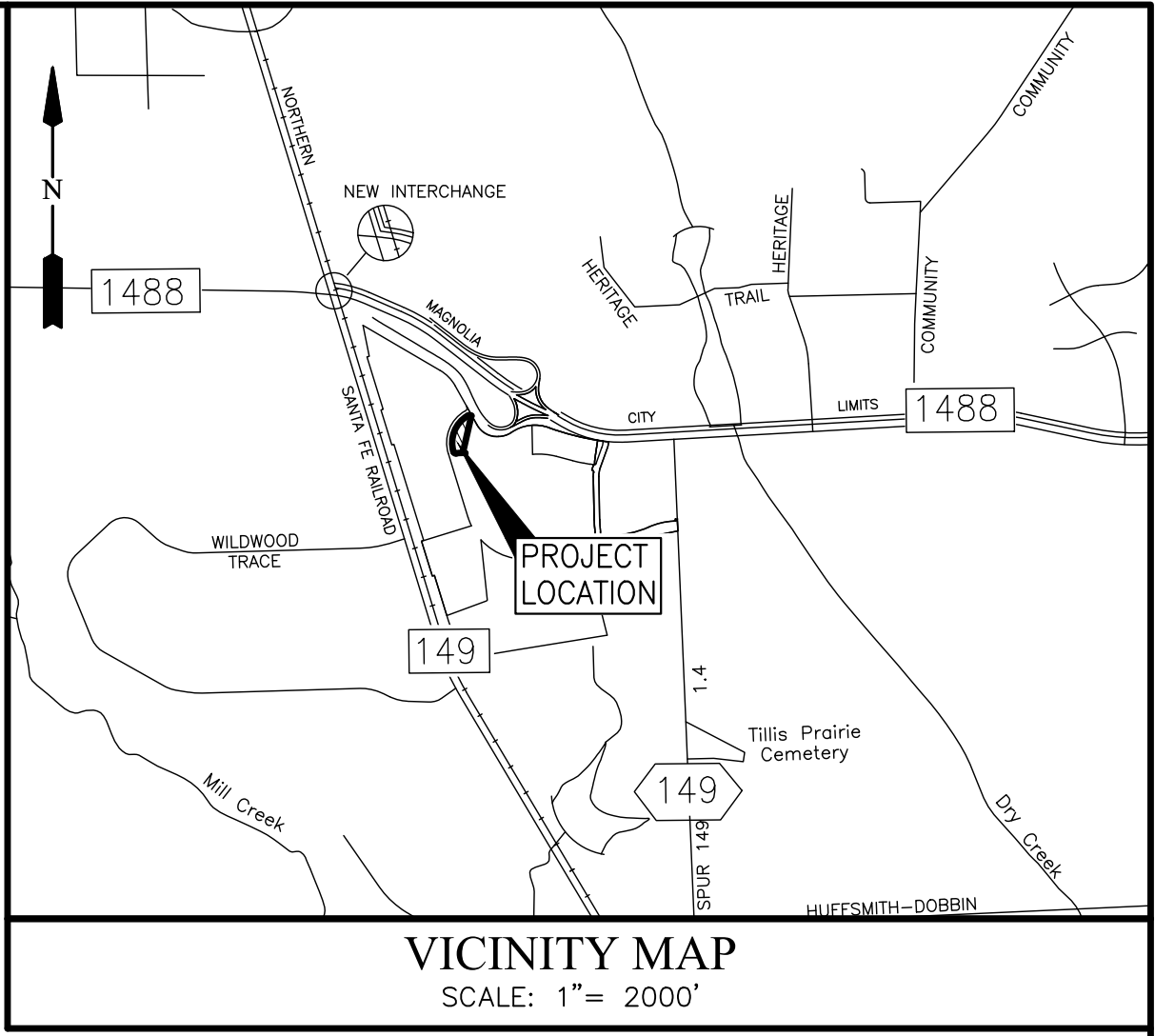
MAGNOLIA PLACE
SECTION 1
PARTIAL REPLAT OF RESERVE A NO. 1

A SUBDIVISION OF 1.184 ACRES OF LAND SITUATED IN THE
JOHN B. RICHARDS SURVEY, ABSTRACT 449
CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS,
BEING A PARTIAL REPLAT OF RESERVE "A" OF
MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1,
A SUBDIVISION RECORDED IN CABINET "Z", SHEETS 5964-5967,
MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

REASON FOR PARTIAL REPLAT: TO SUBDIVIDE RESERVE A

OWNER: MAGNOLIA EAST 149, LLC
A TEXAS LIMITED LIABILITY COMPANY
212 LAVACA STREET, SUITE 300
AUSTIN, TEXAS 78701

0 LOTS
1 BLOCK
1 RESERVE
1.184 ACRES IN RESERVE



KEY MAP NO. 213F

SURVEYOR:
GBI PARTNERS
LAND SURVEYING CONSULTANTS
4724 VISTA ROAD • PASADENA, TX 77505
PHONE: 281-499-4539 • GBIsurvey@GBIsurvey.com
TBPELS FIRM #10130300 • www.GBIsurvey.com

ENGINEER:
LJA Engineering, Inc.
1904 W. Grand Parkway North Phone 713.953.5200
Suite 100 Fax 713.953.5026
Katy, Texas 77449 FRN-F-1386

DATE: MAY 26, 2022

STATE OF TEXAS
COUNTY OF MONTGOMERY

I, ERIN D. PICKENS, SENIOR VICE PRESIDENT, OF MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID MAGNOLIA EAST 149, LLC, A TEXAS LIMITED LIABILITY COMPANY, ACCORDING TO THE LINES, STREETS, LOTS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREON SHOWN, AND DESIGNATE SAID SUBDIVISION AS MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1, LOCATED IN THE JOHN B. RICHARDS SURVEY, ABSTRACT 449, MONTGOMERY COUNTY, TEXAS, AND ON BEHALF OF SAID MAGNOLIA EAST 149, LLC, A TEXAS LIMITED LIABILITY COMPANY; AND DEDICATE TO PUBLIC USE, AS SUCH, THE STREETS, ALLEYS, PARKS, AND EASEMENTS (EXCEPT THOSE INDICATED AS BEING PRIVATE OR CREATED PURSUANT TO SEPARATE INSTRUMENT) SHOWN THEREON FOREVER; AND DO HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED FOR THE STREETS AND ALLEYS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE OF ANY PORTION OF STREETS OR ALLEYS TO CONFORM TO SUCH GRADES.

FURTHER, MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, DOES HEREBY DEDICATE FOREVER TO THE PUBLIC A STRIP OF LAND A MINIMUM OF FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN THE SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING MONTGOMERY COUNTY AND/OR ANY OTHER PUBLIC AGENCY THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTING AND/OR MAINTAINING DRAINAGE WORK AND/OR STRUCTURES.

FURTHER, ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP SHALL BE RESTRICTED IN ITS USE, WHICH RESTRICTIONS SHALL RUN WITH THE TITLE OF THE PROPERTY, AND SHALL BE ENFORCEABLE, AT THE OPTION OF MONTGOMERY COUNTY, BY MONTGOMERY COUNTY OR ANY CITIZEN THEREOF, BY INJUNCTION, AS FOLLOWS:

1. THE DRAINAGE OF SEPTIC TANKS INTO ROAD, STREET, ALLEY, OR OTHER PUBLIC DITCHES, EITHER DIRECTLY OR INDIRECTLY, IS STRICTLY PROHIBITED.
2. DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER, AND SHALL BE A MINIMUM OF ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER PIPE CULVERT).

FURTHER, OWNER DOES HEREBY CERTIFY THAT IT IS THE OWNER OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1 WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY WHEREOF, THE MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ERIN D. PICKENS, ITS SENIOR VICE PRESIDENT, THEREUNTO AUTHORIZED, THIS _____ DAY OF _____, 20____.

MAGNOLIA EAST 149, LLC.
A TEXAS LIMITED LIABILITY COMPANY

BY: _____
ERIN D. PICKENS, SENIOR VICE PRESIDENT

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ERIN D. PICKENS, SENIOR VICE PRESIDENT OF MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, KYLE A. KACAL, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT THE ELEVATION BENCHMARK REFLECTED ON THE FACE OF THE PLAT WAS ESTABLISHED AS REQUIRED BY REGULATION; THAT ALL CORNERS AND ANGLE POINTS OF THE BOUNDARIES OF THE ORIGINAL TRACT TO BE SUBDIVIDED OF REFERENCE HAVE BEEN MARKED WITH IRON RODS HAVING A DIAMETER OF NOT LESS THAN FIVE-EIGHTHS OF AN INCH (5/8") AND A LENGTH OF NOT LESS THAN THREE FEET (3'); AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.



KYLE A. KACAL, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6652

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1 AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 20____, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

CHAIRMAN

CITY SECRETARY

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, HAS ACCEPTED THIS PLAT AND SUBDIVISION OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1 AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 20____, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

MAYOR

CITY SECRETARY

STATE OF TEXAS
COUNTY OF MONTGOMERY

I, MARK TURNBULL, CLERK OF THE COUNTY COURT OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 20____, AT _____ O'CLOCK ____M., AND DULY RECORDED ON _____, 20____, AT _____ O'CLOCK ____M., IN CABINET _____ SHEET _____, OF RECORD OF _____ FOR SAID COUNTY.

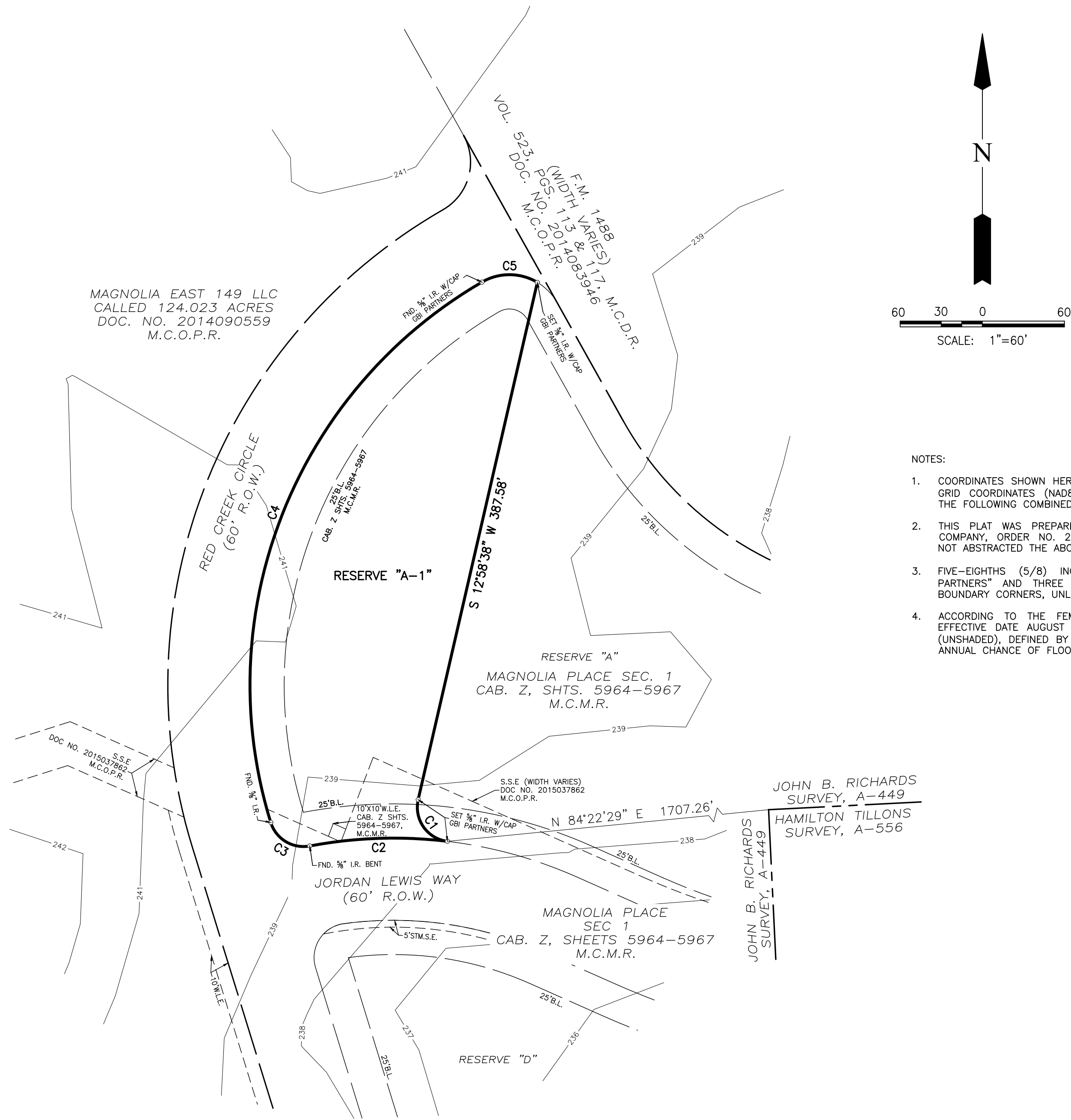
WITNESS MY HAND AND SEAL OF OFFICE, AT CONROE, MONTGOMERY COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

MARK TURNBULL, CLERK, COUNTY COURT,
MONTGOMERY COUNTY, TEXAS

BY: _____
DEPUTY

OWNER: MAGNOLIA EAST 149, LLC
A TEXAS LIMITED LIABILITY COMPANY
212 LAVACA STREET, SUITE 300
AUSTIN, TEXAS 78701

MYLAR CHECK SURVEY PLATING MOR



NOTES:

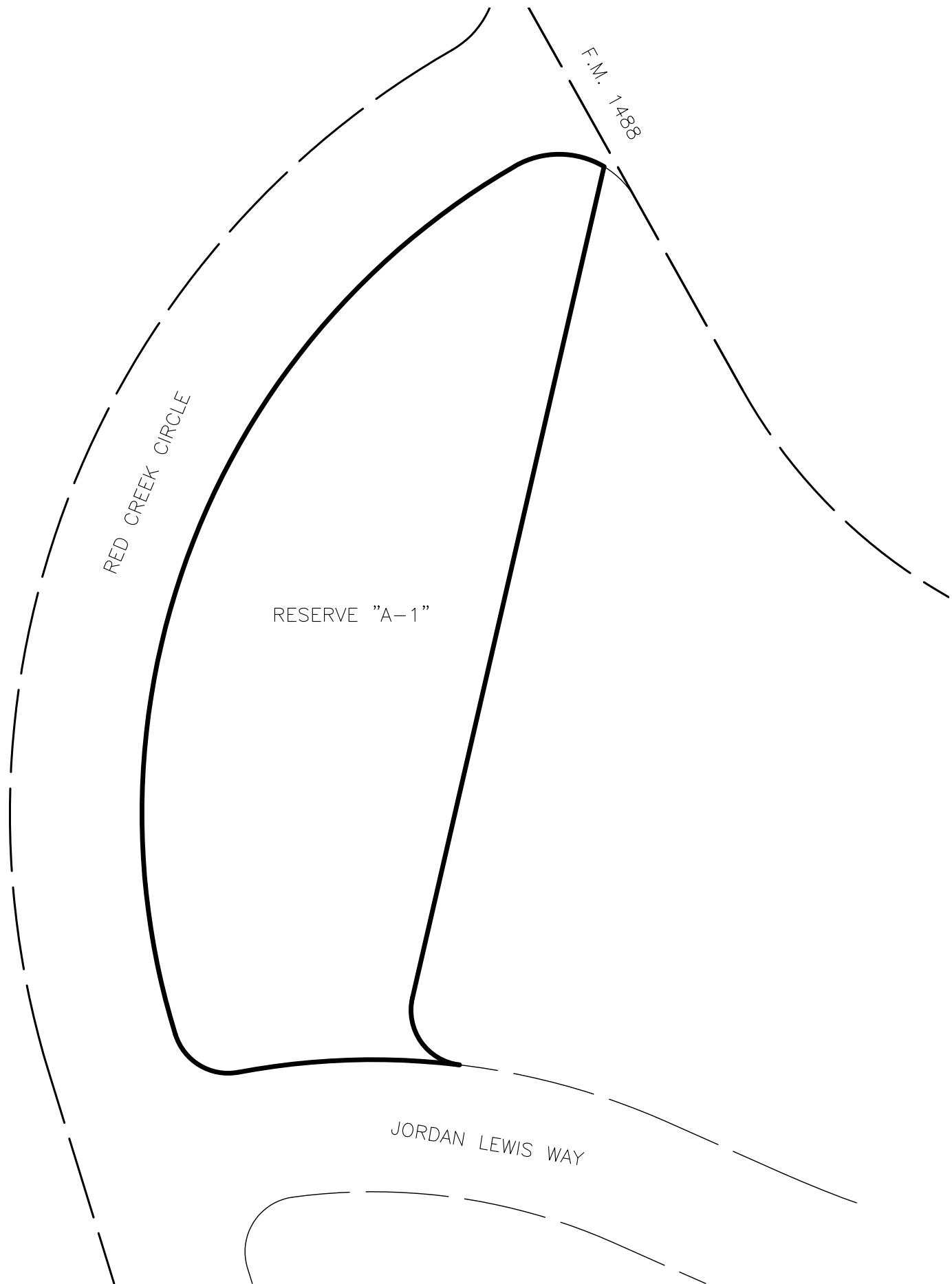
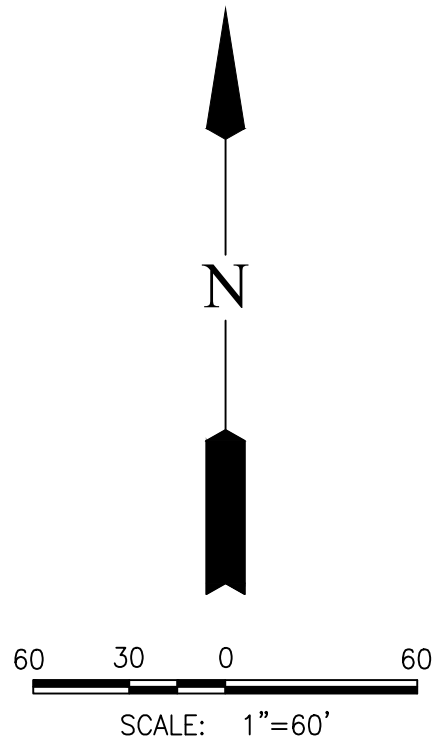
- COORDINATES SHOWN HEREON ARE TEXAS CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR: 0.99997643124.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY CHARTER TITLE COMPANY, ORDER NO. 2019-0176, DATED MAY 29, 2019. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- FIVE-EIGHTHS (5/8) INCH IRON RODS WITH PLASTIC CAP STAMPED "GBI PARTNERS" AND THREE (3) FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED.
- ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP NO. 48339C0485G, EFFECTIVE DATE AUGUST 18, 2014, THE SURVEYED TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED BY FEMA AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODPLAIN.

LEGEND

- B.L. INDICATES BUILDING LINE
S.S.E. INDICATES SANITARY SEWER EASEMENT
W.L.E. INDICATES WATER LINE EASEMENT
M.C.O.P.R. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS
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C3	25.00'	83°30'27"	36.44'	N 58°55'43" W	33.30'
C4	340.00'	77°03'28"	457.27'	N 21°21'14" E	423.58'
C5	40.00'	60°48'47"	42.46'	S 89°42'39" E	40.49'

OWNER: MAGNOLIA EAST 149, LLC
A TEXAS LIMITED LIABILITY COMPANY
212 LAVACA STREET, SUITE 300
AUSTIN, TEXAS 78701



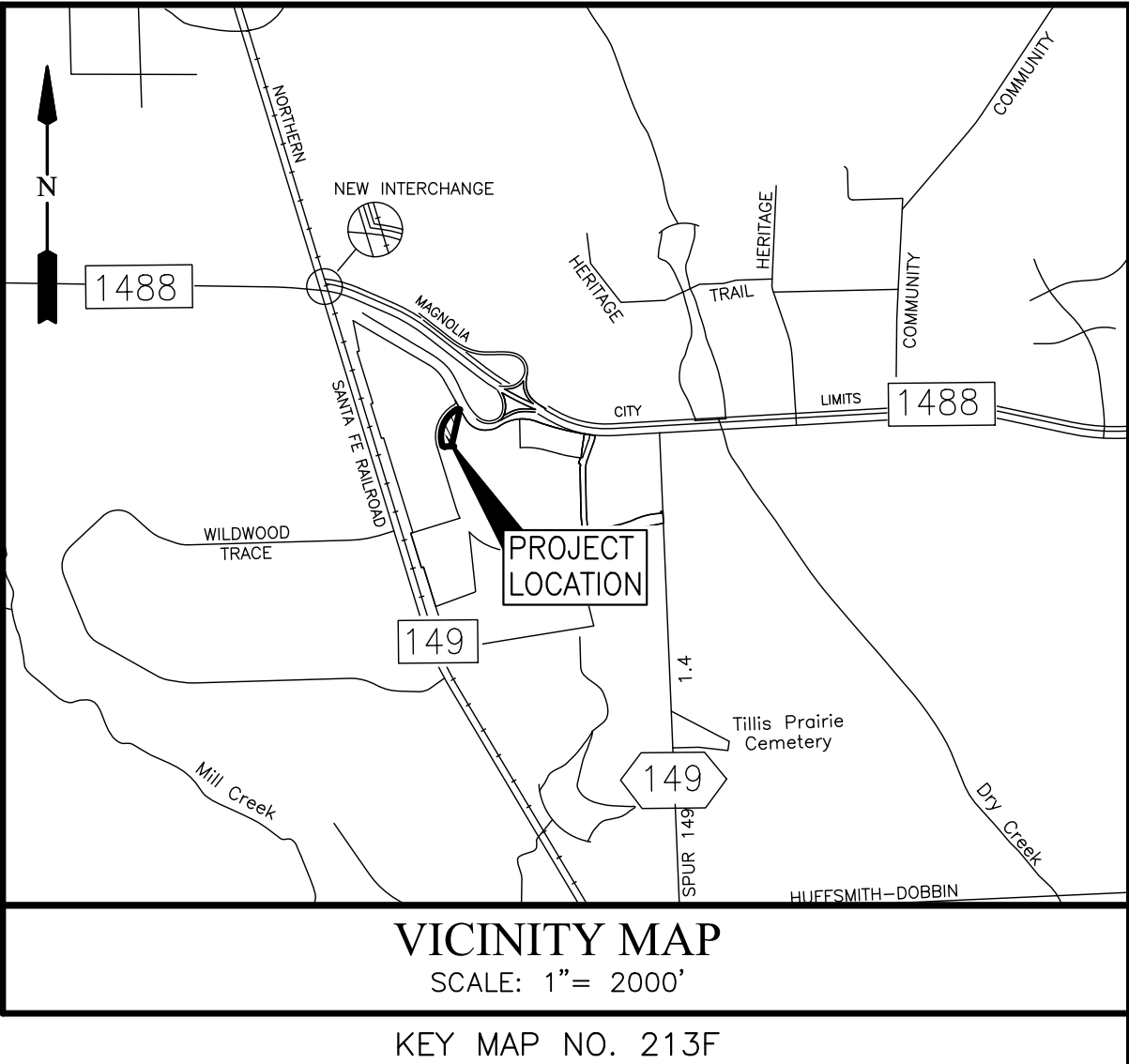
MAGNOLIA PLACE
SECTION 1
PARTIAL REPLAT OF RESERVE A NO. 1

A SUBDIVISION OF 1.184 ACRES OF LAND SITUATED IN THE
JOHN B. RICHARDS SURVEY, ABSTRACT 449
CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS,
BEING A PARTIAL REPLAT OF RESERVE "A" OF
MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1,
A SUBDIVISION RECORDED IN CABINET "Z", SHEETS 5964-5967,
MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

REASON FOR PARTIAL REPLAT: TO SUBDIVIDE RESERVE A

OWNER: MAGNOLIA EAST 149, LLC
A TEXAS LIMITED LIABILITY COMPANY
212 LAVACA STREET, SUITE 300
AUSTIN, TEXAS 78701

0 LOTS
1 BLOCK
1 RESERVE
1.184 ACRES IN RESERVE



SURVEYOR:



GBI PARTNERS
LAND SURVEYING CONSULTANTS
4724 VISTA ROAD • PASADENA, TX 77505
PHONE: 281-499-4539 • GBIsurvey@GBIsurvey.com
TBPELS FIRM #10130300 • www.GBIsurvey.com

ENGINEER:

LJA Engineering, Inc.
1904 W. Grand Parkway North
Suite 100
Katy, Texas 77449
Phone 713.953.5200
Fax 713.953.5026
FRN-F-1386

DATE: JUNE 06, 2022

STATE OF TEXAS
COUNTY OF MONTGOMERY

I, ERIN D. PICKENS, SENIOR VICE PRESIDENT, OF MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID MAGNOLIA EAST 149, LLC, A TEXAS LIMITED LIABILITY COMPANY, ACCORDING TO THE LINES, STREETS, LOTS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREON SHOWN, AND DESIGNATE SAID SUBDIVISION AS MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1, LOCATED IN THE JOHN B. RICHARDS SURVEY, ABSTRACT 449, MONTGOMERY COUNTY, TEXAS, AND ON BEHALF OF SAID MAGNOLIA EAST 149, LLC, A TEXAS LIMITED LIABILITY COMPANY; AND DEDICATE TO PUBLIC USE, AS SUCH, THE STREETS, ALLEYS, PARKS, AND EASEMENTS (EXCEPT THOSE INDICATED AS BEING PRIVATE OR CREATED PURSUANT TO SEPARATE INSTRUMENT) SHOWN THEREON FOREVER; AND DO HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED FOR THE STREETS AND ALLEYS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE OF ANY PORTION OF STREETS OR ALLEYS TO CONFORM TO SUCH GRADES.

FURTHER, MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, DOES HEREBY DEDICATE FOREVER TO THE PUBLIC A STRIP OF LAND A MINIMUM OF FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN THE SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING MONTGOMERY COUNTY AND/OR ANY OTHER PUBLIC AGENCY THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTING AND/OR MAINTAINING DRAINAGE WORK AND/OR STRUCTURES.

FURTHER, ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP SHALL BE RESTRICTED IN ITS USE, WHICH RESTRICTIONS SHALL RUN WITH THE TITLE OF THE PROPERTY, AND SHALL BE ENFORCEABLE, AT THE OPTION OF MONTGOMERY COUNTY, BY MONTGOMERY COUNTY OR ANY CITIZEN THEREOF, BY INJUNCTION, AS FOLLOWS:

1. THE DRAINAGE OF SEPTIC TANKS INTO ROAD, STREET, ALLEY, OR OTHER PUBLIC DITCHES, EITHER DIRECTLY OR INDIRECTLY, IS STRICTLY PROHIBITED.
2. DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER, AND SHALL BE A MINIMUM OF ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER PIPE CULVERT).

FURTHER, OWNER DOES HEREBY CERTIFY THAT IT IS THE OWNER OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1 WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FORGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY WHEREOF, THE MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ERIN D. PICKENS, ITS SENIOR VICE PRESIDENT, THEREUNTO AUTHORIZED, THIS _____ DAY OF _____, 20____.

MAGNOLIA EAST 149, LLC.
A TEXAS LIMITED LIABILITY COMPANY

BY: _____
ERIN D. PICKENS, SENIOR VICE PRESIDENT

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ERIN D. PICKENS, SENIOR VICE PRESIDENT OF MAGNOLIA EAST 149, LLC., A TEXAS LIMITED LIABILITY COMPANY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, KYLE A. KACAL, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT THE ELEVATION BENCHMARK REFLECTED ON THE FACE OF THE PLAT WAS ESTABLISHED AS REQUIRED BY REGULATION; THAT ALL CORNERS AND ANGLE POINTS OF THE BOUNDARIES OF THE ORIGINAL TRACT TO BE SUBDIVIDED OF REFERENCE HAVE BEEN MARKED WITH IRON RODS HAVING A DIAMETER OF NOT LESS THAN FIVE-EIGHTHS OF AN INCH (5/8") AND A LENGTH OF NOT LESS THAN THREE FEET (3'); AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.



KYLE A. KACAL, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6652

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1 AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 20____, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

CHAIRMAN

CITY SECRETARY

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, HAS ACCEPTED THIS PLAT AND SUBDIVISION OF MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE "A" NO. 1 AS SHOWN HEREIN.

IN TESTIMONY WHEREOF, IN WITNESS OF THE OFFICIAL SIGNATURES OF THE MAYOR, AND THE CITY SECRETARY OF THE CITY OF MAGNOLIA, TEXAS, THIS THE _____ DAY OF _____, 20____, DO APPROVE THIS PLAT TO BE RECORDED IN THE OFFICIAL RECORD AT THE MONTGOMERY COUNTY CLERK'S OFFICE.

MAYOR

CITY SECRETARY

STATE OF TEXAS
COUNTY OF MONTGOMERY

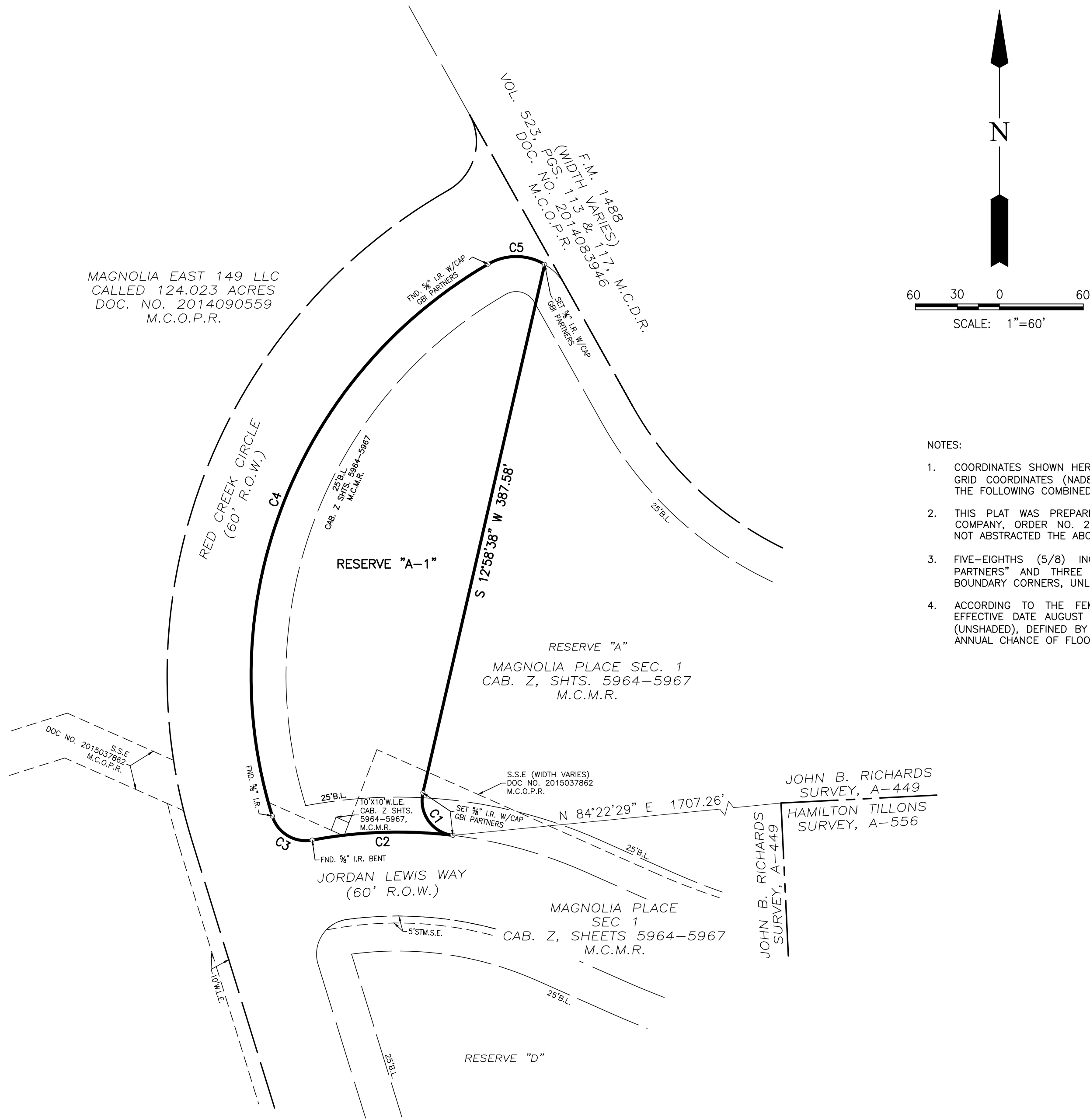
I, MARK TURNBULL, CLERK OF THE COUNTY COURT OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 20____, AT _____ O'CLOCK ____M., AND DULY RECORDED ON _____, 20____, AT _____ O'CLOCK ____M., IN CABINET _____ SHEET _____, OF RECORD OF _____ FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT CONROE, MONTGOMERY COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

MARK TURNBULL, CLERK, COUNTY COURT,
MONTGOMERY COUNTY, TEXAS

BY: _____
DEPUTY

OWNER: MAGNOLIA EAST 149, LLC
A TEXAS LIMITED LIABILITY COMPANY
212 LAVACA STREET, SUITE 300
AUSTIN, TEXAS 78701



NOTES:

- COORDINATES SHOWN HEREON ARE TEXAS CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR: 0.99997643124.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY CHARTER TITLE COMPANY, ORDER NO. 2019-0176, DATED MAY 29, 2019. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- FIVE-EIGHTHS (5/8) INCH IRON RODS WITH PLASTIC CAP STAMPED "GBI PARTNERS" AND THREE (3) FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED.
- ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP NO. 48339C0485G, EFFECTIVE DATE AUGUST 18, 2014, THE SURVEYED TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED BY FEMA AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODPLAIN.

LEGEND

- B.L. INDICATES BUILDING LINE
S.S.E. INDICATES SANITARY SEWER EASEMENT
W.L.E. INDICATES WATER LINE EASEMENT
M.C.O.P.R. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS
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OWNER: MAGNOLIA EAST 149, LLC
A TEXAS LIMITED LIABILITY COMPANY
212 LAVACA STREET, SUITE 300
AUSTIN, TEXAS 78701

Charter Title Company

609 Main Street, Suite 4325, Houston, Texas 77002
(713) 222-6060

CITY PLANNING SEARCH REPORT

May 31, 2022

**City of Magnolia Planning Commission
18111 Buddy Riley Blvd.
Magnolia, Texas 77534**

We, Charter Title Company duly incorporated and doing business under the laws of the State of Texas, hereby certify that we have made a careful search of the Real Property Records MONTGOMERY County, Texas, through an effective date of May 18, 2022, insofar as they pertain to:

**MAGNOLIA PLACE SECTION 1 PARTIAL REPLAT OF RESERVE A NO. 1
A SUBDIVISION OF 1.184 ACRES OF LAND SITUATED IN THE JOHN B. RICHARDS
SURVEY, ABSTRACT 449 CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS,
BEING A PARTIAL REPLAT OF RESERVE "A" OF MAGNOLIA PLACE SECTION 1
PARTIAL REPLAT OF RESERVE "A" NO. 1, A SUBDIVISION RECORDED IN CABINET
"Z", SHEETS 5964-5967, MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.**

And find the following:

RECORD TITLE APPEARS TO BE VESTED IN:

Magnolia East 149, L.L.C., a Texas limited liability company

EASEMENTS AND OTHER ENCUMBRANCES:

Memorandum Regarding Order issued by the Railroad Commission of Texas Designating Drilling/Operation Sites and Easements dated September 30, 2010, recorded October 12, 2010 under Montgomery County Clerk's File No. 2010090942, depicting therein a 2.91 acre proposed access easement together with a 6.01-acre proposed drillsite, as amended by Memorandum Regarding Order issued by the Railroad Commission of Texas Designating Drilling/Operation Sites and Easements dated August 20, 2014, recorded August 21, 2014 under Montgomery County Clerk's File No. 2014081756.

Terms, conditions and stipulations contained in that certain Declaration Easements, Covenants, Conditions and Restrictions as set forth in instrument recorded under Montgomery County Clerk's File No. 2014092222, as amended by Montgomery County Clerk's File No. 2016020130,

as amended and restated in Montgomery County Clerk's File No. 2021113438 (Amended and Restated Declaration).

Terms, conditions and stipulations contained in that certain Memorandum of Purchase Option Agreement as set forth in instrument recorded under Montgomery County Clerk's File No. 2014092223 as Amended under Montgomery County Clerk's File No. 2016020129.

Utility Easement granted to the City of Magnolia as recorded under Montgomery County Clerk's File No. 2015037862.

All oil, gas and other minerals, together with all rights relating thereto, express or implied, reserved in instrument recorded under Montgomery County Clerk's File No. 2014090559. Said mineral estate not traced further herein.

All oil, gas and other minerals, together with all rights relating thereto, express or implied, conveyed in instrument recorded under Montgomery County Clerk's File No. 2015099153. Said mineral estate not traced further herein.

The terms, conditions and stipulations of that certain Waiver of Special Appraisal for the Benefit of Magnolia East Municipal Utility District dated November 20, 2017, recorded under Montgomery County Clerk's File No. 2017109979.

All easements and building set back as shown on plat recorded under Cabinet Z, Sheet 5964, of the Map Records of Montgomery County, Texas.

RESTRICTIONS:

Restrictive covenants recorded under Cabinet Z, Sheet 5964, and under Montgomery County Clerk's File No. 2014092222, 2016020130 and 2021113438.

LIENS:

Deed of Trust, Security Agreement, dated August 12, 2021, filed on August 17, 2021 recorded under Montgomery County Clerk's File No. 2021113555, executed by MAGNOLIA EAST 149, L.L.C., to Clay Riebe, Trustee, securing the payment of a Note in the principal sum of \$14,840,000.00, and other indebtedness as provided therein, payable to the order of Veritex Community Bank.

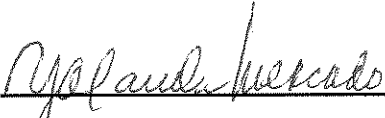
Assignment of Leases and Rents dated August 12, 2021, filed on August 17, 2021, recorded under Montgomery County Clerk's File No. 2021113556.

No examination has been made as to Abstract of Judgments, state or federal tax liens, the status of taxes, tax suits, or paving assessments.

This certificate is issued for the use of and shall inure to the benefit of City of Houston; and liability of Charter Title Company hereunder for mistakes and/or errors in this certificate is limited to the cost of said certificate.

This company does not undertake to give or express any opinion as to the validity of the title to the property above described, nor the validity or effect of the instruments listed, and this certificate is neither a guaranty nor warranty of title.

**Prepared by:
Charter Title Company**

BY: 
Yolanda Mercado, Examiner

May 31, 2022



1904 W Grand Parkway N, Suite 100, Katy, Texas 77449
t 713.953.5200 f 713.953.5026 LJA.com TBPE F-1386

June 6, 2022

Mr. Don Doering, City Administrator
City of Magnolia
1811 Buddy Riley Blvd.
Magnolia, Texas 77354

Re: Letter of Explanation
LJA Project No. 2559-1912
Magnolia Place Section 1 Partial Replat of Reserve "A" No. 1

Dear Mr. Doering:

On behalf of the property owner, please accept our letter of explanation regarding Magnolia Place Section 1 Partial Replat of Reserve "A" No. 1.

This is a partial replat of Reserve A in Magnolia Place Section 1, recorded in Cab Z, Sheets 5965-5967, M.C.M.R. The purpose of this partial replat is to subdivide Reserve A.

The proposed use of the Reserve A will be restricted to commercial use only.

Thank you for your consideration. If you have any questions or require additional information, please contact me at 713-380-4443.

Regards,

A handwritten signature in blue ink, appearing to read 'Marie Escue'.

Marie Escue
Platting Project Manager

County: Montgomery
Project: Magnolia Place
Job No. 194303
MBS No. 22-221

FIELD NOTES FOR 1.184 ACRES

Being a tract containing 1.184 acres of land located in the John B. Richards Survey, Abstract No. 449, in Montgomery County, Texas. Said 1.184 acres being a portion of Reserve "A", Magnolia Place Section 1, a subdivision recorded in Cabinet Z, Sheets 5964-5967 of the Montgomery County Map Records (M.C.M.R.). Said 1.184 acres of land being more particularly described by metes and bounds as follows (Bearings are referenced to the Texas Coordinate System of 1983, Central Zone, as derived from GPS observations):

BEGINNING at a 5/8 inch capped iron rod stamped "GBI Partners" found at the most westerly southwest corner of said Reserve "A" and being on the east right-of-way (R.O.W.) line of Red Creek Circle (60-foot width) as dedicated in Cabinet Z, Sheets 5964-5967 of the M.C.M.R.;

THENCE, with said east R.O.W. line, the following two (2) courses:

1. 457.27 feet along the arc of a curve to the right, having a radius of 340.00 feet, a central angle of 77 degrees 03 minutes 28 seconds, and a chord which bears North 21 degrees 21 minutes 14 seconds East, a distance of 423.58 feet to a 5/8 inch capped iron rod stamped "GBI Partners" found at a point of compound curvature;
2. 42.46 feet along the arc of said curve, having a radius of 40.00 feet, a central angle of 60 degrees 48 minutes 47 seconds, and a chord which bears South 89 degrees 42 minutes 39 seconds East, a distance of 40.49 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set;

THENCE, through and across said Reserve "A", the following two (2) courses:

1. South 12 degrees 58 minutes 38 seconds West, a distance of 387.58 feet to a point of curvature to the left;
2. 41.94 feet along the arc of said curve, having a radius of 25.00 feet, a central angle of 96 degrees 07 minutes 27 seconds, and a chord which bears South 35 degrees 05 minutes 05 seconds East, a distance of 37.19 feet to a 5/8 inch capped iron rod stamped "GBI Partners" set on the north R.O.W. line of Jordan Lewis Way (60-foot width) as dedicated in Cabinet Z, Sheets 5964-5967 of the M.C.M.R. and the beginning of a non-tangent curve to the left;

THENCE, with said north R.O.W. line, the following two (2) courses:

1. 101.00 feet along the arc of said curve, having a radius of 330.00 feet, a central angle of 17 degrees 32 minutes 08 seconds, and a chord which bears South 88 degrees 05 minutes 07 seconds West, a distance of 100.60 feet to a 5/8 inch capped iron rod stamped "GBI Partners" found at a point of reverse curvature;

2. 36.44 feet along the arc of said curve, having a radius of 25.00 feet, a central angle of 83 degrees 30 minutes 27 seconds, and a chord which bears North 58 degrees 55 minutes 43 seconds West, a distance of 33.30 feet to the **POINT OF BEGINNING** and containing 1.184 acres of land.

THIS DESCRIPTION WAS PREPARED BASED ON A SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF KYLE A. KACAL, RPLS 6652, FILED UNDER JOB NO. 194303 IN THE OFFICES OF GBI PARTNERS.

GBI Partners

TBPELS Firm #10130300, 10194423

Ph: 281.499.4539

May 31, 2022





June 13, 2022

Mr. Don Doering
City Administrator
City of Magnolia
18111 Buddy Riley Boulevard
Magnolia, Texas 77354

**Reference: *Magnolia Place Section 1 Partial Replat of Reserve A No. 1 – Letter of No Objection
City of Magnolia
AEI Job No. 221231.80-001***

Dear Mr. Doering:

We received the replat for the proposed Magnolia Place Section 1 Partial Replat of Reserve A No. 1 on June 6, 2022. On behalf of City of Magnolia (the "City"), we have reviewed the submitted documents and offer no objection to the approval of this project, subject to the following comments:

1. Final plat shall be signed and sealed by a Professional Surveyor licensed in the State of Texas.
2. Label P.O.B on face of plat.
3. Revise sheet numbers.
4. Provide an electronical copy of the final recorded plat to the City Engineer when it becomes available.
5. In the event that any portion of this development may change at a future date, the City reserves the right to review and approve the proposed changes prior to initiating the change.

Should you have any questions or require additional information, please contact the undersigned or Michael A. Kurzy, P.E. at (281) 350-7027.

Sincerely,

A handwritten signature in blue ink that reads 'Robel E. Giackero'.

Robel E. Giackero, P.E.
Project Engineer

AEI Engineering, a Baxter & Woodman Company
TBPELS Registration No. F-21783

XC: Ms. Christian Gable – City of Magnolia - Planning Coordinator
 Mr. Burt Smith – City of Magnolia – Director of Public Works
 Mr. Michael A. Kurzy, P.E. – AEI Engineering, a Baxter & Woodman Company
 Ms. Marie Escue – LJA Engineering, Inc.



July 7, 2022

City of Magnolia
ATTN: Don Doering
City Administrator
18111 Buddy Riley Blvd.
Magnolia, TX 77354

RE: Meritage Homes Lot Size in Magnolia Place

Dear Mr. Doering,

Meritage Homes is under contract to purchase 27 acres within the city of Magnolia near the S.E. corner of FM 1488 and FM 149 in the Magnolia Place development. Meritage plans to develop a single-family residential community within the mixed-use development. The community is currently planned to include 124 homes on 45'x125' (typical) lots. This letter represents Meritage Homes' request for City Council at their July 12, 2022 meeting to either:

- (1) make an official ruling on the city's interpretation of the development agreement between City of Magnolia and 306 Montgomery Limited dated June 18, 2014 (amended December 7, 2016) to allow 45'x125' lots; or
- (2) grant a variance of Ordinance 2007-106 Appendix A Chapter 2, Section 205 to allow for 45'x125' lots based on the variance process laid out in Sec. 82-321 and Sec. 82-322 of the City of Magnolia Code of Ordinances.

Option 1 – Official Ruling on Interpretation of Development Agreement

The DA predates all city staff who would have reviewed the DA at the time. The DA is admittedly poorly written and difficult to interpret. We ask that City Council be the judge and interpret the DA to say that 45' lots are allowed for any of the following reasons:

- 1A. 45' lots fall under the category of "any Single-Family purpose" as defined in Exhibit C & Article 3.2(b)
- 1B. 45' lots would be considered a "modification" under the DA and not require an amendment to the DA

Further explanation of each Sub-option is described below.

Sub-Option 1A:

The development agreement (DA) in place for Magnolia Place (referred to as Magnolia East in the DA) was approved in 2016, prior to the adoption of the Unified Development Code (UDC). In the DA, a minimum lot width is not listed.

Article 3.2(b) refers to the Conceptual Plan and subsequently, Exhibit C, which details allowed and prohibited uses:

1. The Conceptual/Development Plan that was included in the DA shows the area in question as "Multi-Family-Residential/Single Family Residential"
2. Exhibit C states that Magnolia East may be developed and used for any use that is listed as a permitted use in the Conceptual Plan. Exhibit C provides additional detail and defines single family as follows, "Single Family may be used for any single-family purpose that is not a Prohibited Use. Single Family purposes include, but are not limited to, single family homes, condominiums (whether for rent or sale), townhomes, and duplexes".



Article 3.2(b) states that “Magnolia East (Place) may be developed and used for any use that is listed as a permitted use in the Conceptual Plan and may not be developed and used for any use that is listed as a prohibited use in the Conceptual Plan”. The prohibited uses listed are: Pawn Shops, sexually oriented businesses, mobile home parks, junkyards, and solid waste disposal sites.

Meritage’s interpretation of the above is that that 45’-wide lots would be considered “any Single Family purpose” and be allowed. Further arguments would suggest that because the other uses listed under permitted single-family uses (condominiums, townhomes, and duplexes) are typically on lots between 22’ and 40’ wide, 45’-wide lots would exceed the minimum lot size intended in the DA.

Sub-Option 1B:

Article 3.4 addresses modifications & amendments to the DA. It states the Owner may make modifications to the development plan (for market conditions or other factors) and not require an amendment to the development agreement so long as such changes do not result in an increase in the overall density or impervious coverage of the development. Developing this tract as 45’-wide single-family lots instead of multi-family, townhomes, or duplexes will reduce both the density and amount of impervious cover of the tract.

If Sub-Option 1A is not permissible, Meritage’s interpretation is that 45’ lots would be considered a modification due to market conditions and be allowed since density and impervious cover are not increasing.

Article 2 of the first amendment to the DA addresses vesting of rights. It states that although the city adopted a zoning ordinance in 2015, certain items (including lot size, dimensions, and configurations) would be governed by the Applicable Rules (defined as rules & regulations of the city as of the effective date of the DA). Article 3.1 in the DA covers governing regulations. It states that that except as otherwise provided in the DA, the Applicable Rules would govern development. Ordinance 2007-106 Appendix A Chapter 2, Section 205 governed lot size at when the DA was approved. Meritage’s interpretation is that the articles and exhibits described in Sub-Option 1A & 1B govern the use and associated lot sizes and as such the Applicable Rules do not apply.

Option 2 - Variance to Ordinance 2007-106 Appendix A Chapter 2, Section 205

Option 2 only applies if City Council disagrees with Option 1A and Option 1B above and interpret the DA to state the Applicable Rules (namely Ordinance 2007-106 Appendix A Chapter 2, Section 205) apply. Ordinance 2007-106 Appendix A Chapter 2, Section 205 required minimum 60’x90’-wide lots with a minimum area of 5,400 square feet. Meritage requests Council consider a variance to the ordinance for the following reasons:

1. The community’s proximity to an active railroad
2. The community’s proximity to proposed multifamily in Magnolia Place
3. The community’s marketing window being on the backside of HEB (truck deliveries, dumpsters, etc.)
4. The community’s proximity to a pipe yard
5. Centex’s Myrtle Gardens is ½ a mile down the road and is approved for 45’ lots
6. 45’ lots will have no impact on health, safety, or welfare of the community
7. The DA approved the tract for multiple uses including multifamily. 45’-wide single family lots impact traffic less than the multifamily use assumed in the approved Traffic Impact Analysis for Magnolia Place.
8. The DA being ambiguous and contradictory on the subject of lot size.
9. Meritage builds high-quality, energy efficient homes with an anticipated average sales price of \$360k.
10. The typical 45’x125’ lots proposed will be at least 5,625 square feet, exceeding Ordinance 2007-106 Appendix A Chapter 2, Section 205’s 5,400 square foot minimum. Only a handful of lots are less than 125’ deep. Many have extra depth.
11. If granted the variance, Meritage will have a pocket park with a playground and park benches near the entrance of the community in Reserve E. This is not required by the DA or Applicable Rules.



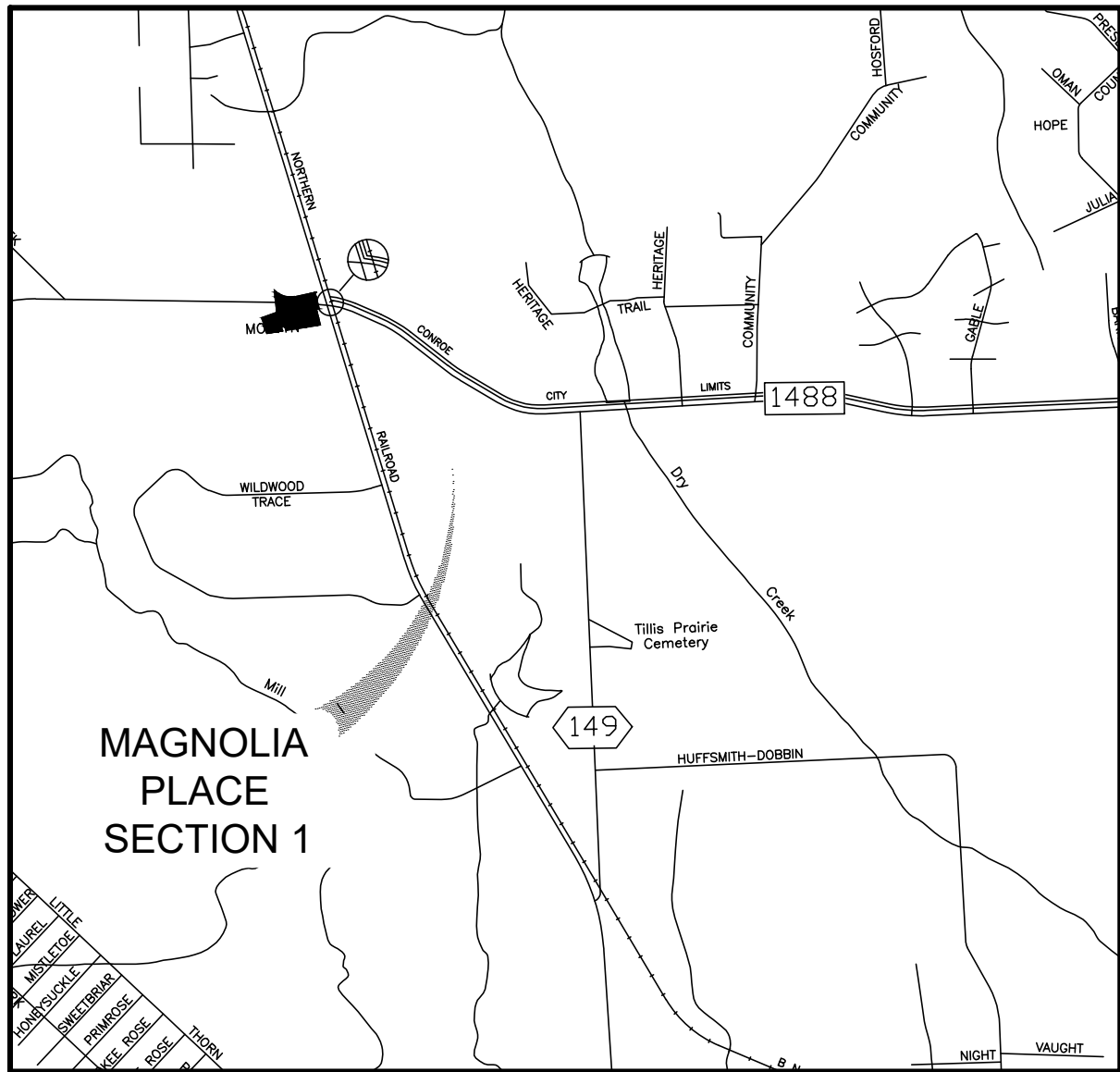
Chapter 82 Article IX of the Code of Ordinances lays out considerations City Council should take in considering a variance. It states: "City Council shall take into account the nature of the proposed use of the land involved and existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision and the probable effect of such variances upon traffic conditions, public health, safety, and welfare of citizens in the vicinity." These and other site-specific considerations have been listed above. As such, we feel justified in seeking a variance.

Attached is the proposed preliminary plat, vicinity map, the DA, 1st Amendment to the DA, and select Applicable Rules. We hope City Council concurs with our findings and acts to move forward with Option 1A, 1B or 2 or take another path to allow 45' lots.

Thank you,

A handwritten signature in blue ink, appearing to read "Ryan Day", is positioned above the typed name.

Ryan Day
Vice President – Land Acquisition
Meritage Homes
972-768-1876
Ryan.Day@meritagehomes.com



Vicinity Map
(Not to scale)

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 69°43'51" W	462'
L2	S 49°41'15" W	14'
L3	S 06°05'09" E	663'
L4	S 78°33'35" W	668'
L5	N 06°13'53" W	18'
L6	N 78°33'52" E	37'
L7	N 14°42'22" W	487'
L8	N 75°52'27" E	90'
L9	N 14°06'28" W	477'
L10	N 80°51'43" E	1024'
L11	N 80°26'33" E	16'
L12	S 20°08'14" E	122'
L13	N 79°09'48" E	91'
L14	N 20°09'40" W	120'
L15	N 80°26'33" E	145'
L16	N 80°44'10" E	345'
L17	S 25°16'18" E	62'
L18	S 22°19'40" E	200'
L19	S 71°08'48" W	25'
L20	S 18°51'40" E	183'
L21	S 17°09'40" E	57'

BOUNDARY CURVE TABLE				
CURVE	RADIUS	ARC	CHORD BEARING	CHORD
C1	650'	669'	N 71°58'30" W	639'

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF MAGNOLIA ORDINANCES GOVERNING LAND PLATTING IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE MAGNOLIA PLANNING COMMISSION. THIS PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER LJA ENGINEERING, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL CONSTRUCTION, SAFETY OR SUITABILITY TO THE PURPOSES INTENDED, OR ANY UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT. ANY DRY UTILITIES SHOWN ON THIS PLAT (POWER, GAS, TELEPHONE, CABLE, ETC.) HAVE NOT BEEN DESIGNED, REVIEWED NOR APPROVED BY ANY DRY UTILITY PROVIDER. ANY DRY UTILITY ONE-LINES SHOWN ON THIS PLAT ARE CONCEPTUAL AND BASED SOLELY ON THE LOCATION OF THE PROPOSED DRY UTILITY EASEMENTS LOCATED IN THE LOTS.

GENERAL NOTES:

1. ALL EASEMENTS ON LOT LINES ARE CENTERED UNLESS OTHERWISE SHOWN.
2. ALL STREET INTERSECTION RIGHT-OF-WAY RETURN RADII ARE 25 FEET UNLESS OTHERWISE NOTED.
3. ALL STREETS WILL BE PAVED WITH CONCRETE AND BE CURB AND GUTTER STREETS WITH STORM SEWERS.
4. ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
5. SINGLE FAMILY RESIDENTIAL SHALL MEAN THE USE OF A LOT WITH ONE BUILDING DESIGNED FOR AND CONTAINING NOT MORE THAN TWO SEPARATE UNITS WITH FACILITIES FOR LIVING, SLEEPING, COOKING, AND EATING THEREIN. A LOT UPON WHICH IS LOCATED A FREE-STANDING BUILDING CONTAINING ONE DWELLING UNIT AND A DETACHED SECONDARY DWELLING UNIT OF NOT MORE THAN 900 SQUARE FEET ALSO SHALL BE CONSIDERED SINGLE FAMILY RESIDENTIAL. A BUILDING THAT CONTAINS ONE DWELLING UNIT ON ONE LOT THAT IS CONNECTED BY A PARTY WALL TO ANOTHER BUILDING CONTAINING ONE DWELLING UNIT ON AN ADJACENT LOT SHALL BE SINGLE FAMILY RESIDENTIAL.
6. EACH LOT SHALL PROVIDE A MINIMUM OF TWO OFF-STREET PARKING SPACES PER DWELLING UNIT ON EACH LOT. IN THOSE INSTANCES WHERE A SECONDARY UNIT IS PROVIDED ONLY ONE ADDITIONAL SPACE SHALL BE PROVIDED.

LEGEND

- RES. INDICATES RESERVE
- B.L. INDICATES BUILDING LINE
- U.E. INDICATES UTILITY EASEMENT
- O.P.R.M.C. INDICATES OFFICIAL PUBLIC RECORDS MONTGOMERY COUNTY
- M.C.D.R. MONTGOMERY COUNTY DEED RECORDS
- R.O.W. INDICATES RIGHT-OF-WAY
- DOC. NO. INDICATES DOCUMENT NUMBER
- INDICATES STREETNAME CHANGE
- INDICATES ZERO LOT

RESERVE TABLE		
RESERVE	ACRES	TYPE
A	±2.05Ac.	Landscape / Open Space / Utility Easement
B	±0.37Ac.	Landscape / Open Space / Utility Easement
C	±6.01Ac.	Drill Site
D	±0.92Ac.	Landscape / Open Space / Utility Easement
E	±0.23Ac.	Landscape / Open Space / Utility Easement / Park

A PRELIMINARY PLAT OF
MAGNOLIA PLACE
SECTION 1

±33.6 ACRES
124 LOTS (45' x 120' TYP.) AND
5 RESTRICTED RESERVES IN 4 BLOCKS

OUT OF THE
RICHARD JOHN B SURVEY, A-449
CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS

OWNER:
MERITAGE HOMES

PLANNER:

LJA
PLANNING &
LANDSCAPE
ARCHITECTURE

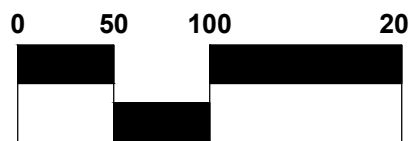
Land & Master Planning
Land Use/Feasibility Studies
Sustainable Design
Urban Design
Landscape Architecture

3600 W Sam Houston Pkwy S
Suite 600
Houston, Texas 77042
713.953.5200 • F 713.953.5026

NORTH



LJA# 2040-07010



06.03.2022

MASTER SITE PLAN



DEVELOPMENT AGREEMENT
BETWEEN
THE CITY OF MAGNOLIA, TEXAS
AND
306 MONTGOMERY LIMITED

DEVELOPMENT AGREEMENT FOR MAGNOLIA EAST

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This Development Agreement (this "Agreement") dated June 18, 2014 (the "Effective Date") is between the City of Magnolia, Texas, a Texas general law city (the "City"), and 306 Montgomery Limited, a Texas limited partnership ("Owner"). In this Agreement, the City and Owner and Owner's successors and assigns are sometimes individually referred to as a "Party" and collectively referred to as the "Parties".

RECITALS:

Owner owns approximately 162.394 acres of land (the "Land") located wholly within the extraterritorial jurisdiction of the City and in Montgomery County, Texas (the "County"). The Land is more fully described on the attached Exhibit A.

Owner and the City intend that the Land be developed as a mixed-use, commercial project that will benefit and serve the present and future citizens of City pursuant to development regulations contained in this Agreement. In this Agreement, the Land, as it will be developed, is sometimes referred to as "Magnolia East".

The Land is located in an area where the City desires to foster economic development. The City has determined that a development agreement covering mixed-use commercial developments such as Magnolia East will benefit the City by establishing certain land use controls, providing for the construction of appropriate and necessary utility infrastructure, encouraging economic growth, protecting the environment, and promoting the welfare of all present and future citizens of the City.

The City intends to issue bonds and/or use other funds (the "City Funds") to finance the construction of certain utility facilities to serve Magnolia East as more particularly described on Exhibit B attached hereto (the "City Infrastructure Facilities"), which the City has agreed to construct. However, the City Infrastructure Facilities does not include the water lines and sewer lines that are denoted on Exhibit B to be constructed by "Developer" but will include the Wastewater Lift Station (defined below) and Owner has agreed to pay its pro-rata share of construction costs of the Wastewater Lift Station as set forth below.

Owner and the City wish to enter into this Agreement to provide for (i) the construction of the City Infrastructure Facilities, (ii) the orderly annexation of Magnolia East, (iii) an alternative to the City's typical regulatory process for development, (iv) certainty of regulatory requirements throughout the term of this Agreement, and (v) assurances of a high-quality development that will benefit the present and future residents of the City, the City's extraterritorial jurisdiction, and the County of Montgomery.

Therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, including the agreements set forth below, the City and Owner agree as follows:

ARTICLE 1 **DEFINITIONS**

“Agreement” means this Development Agreement between the City and Owner.

“Applicable Rules” means the City Rules in effect as of the Vesting Date, which will be applicable to the development, use, and operation of the Land.

“City” means the City of Magnolia, Texas, a Texas general law city.

“City Administrator” means the city administrator of the City.

“City Council” means the city council of the City.

“City Engineer” means the engineer for the City.

“City Rules” means the City’s ordinances, regulations, and official policies.

“Conceptual Plan” means the conceptual plan of Magnolia East attached as Exhibit C, as it may be amended from time to time in accordance with this Agreement.

“County” means Montgomery County, Texas.

“Owner” means 306 Montgomery Limited, a Texas limited partnership, its successors and assigns.

“Effective Date” means the date on which the last Party signs this Agreement.

“Impervious Cover Percentage” means the percentage calculated by dividing the total acres of impervious cover developed on the Land by the total number of acres included in the Land.

“Initial Term” means the term of this Agreement, commencing on the Effective Date and continuing for 15 years thereafter.

“Land” means approximately 162.394 acres of land in the County, more fully described on the attached Exhibit A.

“Lender” has the meaning set forth in Section 6.5.

“Master Plan” means the Comprehensive Plan of the City initially adopted on April 9, 2013, as amended and modified by the City.

“Planning and Zoning Commission” means the planning and zoning commission of the City, when established.

“Magnolia East” means the Land, as it will be developed under this Agreement.

“Magnolia East Approvals” means the approvals, variances, waivers, and exceptions to the Applicable Rules approved by the City with respect to the development of the Land, as set forth on the attached Exhibit D.

“TCEQ” means the Texas Commission on Environmental Quality, or its successor entity.

“Vesting Date” means the Effective Date of this Agreement.

ARTICLE 2

PUBLIC BENEFITS AND CITY INFRASTRUCTURE FACILITIES

2.1 **Orderly Growth**. The City desires that development within its extraterritorial jurisdiction occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values, and provide for the growth of the City’s tax base. This Agreement will benefit the City by facilitating the development of a master-planned project within an appropriate area of the City’s extraterritorial jurisdiction, which will allow for thoughtful and high-quality planning, the development of necessary roadways and utility facilities, the provision of required fire protection services, and the development of a mixed-use commercial project.

2.2 **Economic Growth**. The development of Magnolia East will benefit the City by providing new employers and an expanded job market for the residents of the City and its extraterritorial jurisdiction, furthering the development of an expanded commercial tax base and making increased services available to residents of the City and its extraterritorial jurisdiction.

2.3 **City Infrastructure Facilities**. The City agrees to cause the City Infrastructure Facilities to be designed and constructed in a good and workmanlike fashion. The City agrees to commence the construction of the City Infrastructure Facilities on or before January 1, 2015, and shall cause construction of the City Infrastructure Facilities to be diligently prosecuted, completed and operational based upon the schedule attached as Exhibit E. The City has recognized the need for the City Infrastructure Facilities for this portion of the City to serve future growth. In recognition of these City goals, Owner will cooperate with the City in providing necessary utility easements within Magnolia East for the City Infrastructure Facilities, as generally shown on the attached Exhibit B. All cost and expenses for the design and construction of the City Infrastructure Facilities will be paid solely by the City with the exception of the construction costs of the Wastewater Lift Station, which will be pro-rated between the City and the Owner as provided in Section 2.4, below. The City agrees to reserve, for the benefit of Owner, 1,267.2 service units of wastewater service in the Wastewater Lift Station, which are required for the full development of Magnolia East (the “Magnolia East Reserve Capacity”), and such capacity reservation shall be documented in a form reasonably

satisfactory to both parties prior to Owner paying the City its pro-rata share of the Wastewater Lift Station costs as provided in Section 2.4 below.

2.4 Wastewater Lift Station Reimbursement. The Wastewater Lift Station will serve Magnolia East as well as other property within the City's service area. The Owner has agreed to reimburse the City for Owner's pro-rata share of the out-of-pocket construction costs incurred by the City for the construction of the Wastewater Lift Station including its auxiliary generator upon completion of all of the City Infrastructure Facilities. Owner's pro-rata percentage ("**Owner's Pro Rata Percentage**") will be determined by dividing the Magnolia East Reserve Capacity by the total amount of service units of wastewater service capacity of the pumps in the Wastewater Lift Station. The City will take alternate bids for a wet well sized for the Magnolia East Reserved Capacity and for the size of a wet well needed for full development of the area in and around Magnolia East. Owner's pro-rata share of the construction costs of the Wastewater Lift Station will be determined by multiplying the final out-of-pocket construction costs incurred by the City for the construction of the Wastewater Lift Station times Owner's Pro Rata Percentage less the difference in costs between the alternate wet well bids. Within 10 days of receipt of bids for the City Infrastructure Facility, the City will send written notice to Owner, along with reasonable backup documentation, of the estimate of Owner's Pro Rata Percentage of the out-of-pocket construction costs to be incurred by the City in the construction of the Wastewater Lift Station less the difference between the alternate wet well bids (the "Estimate"). Within thirty days of receipt of the Estimate, Owner will post fiscal with the City (either cash or a letter of credit) in the amount of the Estimate to secure Owner's reimbursement obligations under this Section 2.4. Upon completion of the City Infrastructure Facilities, the City will invoice the Owner for Owner's pro-rata share of the construction costs of the Wastewater Lift Station in accordance with this Section 2.4. The invoice must include reasonable documentation of the out-of-pocket construction costs incurred by the City. The Owner will pay its pro-rata share of construction costs within thirty (30) days of receipt of an invoice provided by the City in compliance with this Section 2.4. Upon payment in full by the Owner, the City will release the fiscal required hereunder to the party that posted the fiscal.

ARTICLE 3 **PROPERTY DEVELOPMENT**

3.1 Governing Regulations. Except as otherwise provided in this Agreement, the Applicable Rules during the term of this Agreement will be those City Rules in force and as interpreted by the City by policy or practice on the Vesting Date. No City Rules adopted after the Vesting Date, whether by means of an ordinance, initiative, referendum, resolution, policy, order, or otherwise, are or will be applicable to Magnolia East, unless otherwise provided in this Agreement or by applicable state law, or the application is agreed to, in writing, by Owner and the City. For the Term of this Agreement, the development and use of the Land will be controlled by the terms of this Agreement, the Magnolia East Approvals, and the Applicable Rules. If there is any conflict between the Applicable Rules and the terms of this Agreement, the terms of this Agreement will control.

3.2 Magnolia East Approvals and Entitlements.

(a) Magnolia East Approvals; Variances. The City confirms that the Magnolia East Approvals set forth in Exhibit D have been approved by all required City boards and commissions and the City Council and are granted by the City with respect to the development of the Land.

(b) Conceptual Plan. The City approves the Conceptual Plan attached as Exhibit C and confirms that it complies with the City's Master Plan, and that the Conceptual Plan has been approved by all requisite City departments, boards, and commissions and by the City Council. The City agrees that Magnolia East may be developed and used for any use that is listed as a permitted use in the Conceptual Plan and may not be developed and used for any use that is listed as a prohibited use in the Conceptual Plan.

(c) Development Density and Height. Anything contained in this Agreement or City Rules to the contrary notwithstanding, Owner will have the right to develop the Land with an Impervious Cover Percentage that does not exceed ninety percent (90%) over the entire Magnolia East and no building shall be higher than sixty feet (60') over average finished grade of the ground adjacent to such building. No floor-to-area or other regulation on the density of development shall apply to Magnolia East.

(d) Subdivision Improvements. In lieu of any requirements under the City's Code of Ordinances to post bonds or other forms of fiscal to assure the City and/or County of the timely and proper installation of utility and roadway infrastructure within Magnolia East (including without limitation those included in Section 82-123 of the City's Subdivision Ordinance), Owner shall have the option of (i) contractually agreeing to complete the construction of all such infrastructure prior to selling lots within Magnolia East (provided that Magnolia East may be sold in an undeveloped condition to up to two purchasers owning separate lots provided that both purchasers assume Owner's obligations hereunder in accordance with Article 5 below), or (ii) posting a bond or letter of credit in an amount equal to the estimated cost of such infrastructure and the amount of the bond shall be approved by the city engineer guaranteeing completion of all required improvements. The City confirms that there are no subdivision infrastructure improvements required for the 19.57 acres on the northeast corner of the Land which was final platted as Magnolia East Reserve I, approved by the City effective May 29, 2014.

3.3 Standards and Timing of Review; Appeal. The City acknowledges that efficient City reviews are necessary for the effective implementation of Owner's development program. Therefore, the City agrees that it will comply with all statutory and internal City time frames for development reviews. The City further agrees that if, at any time, Owner believes that an impasse has been reached with the City staff on any development issue affecting Magnolia East or if Owner disagrees with any decision of the City staff regarding Magnolia East, Owner may immediately appeal to the City Council for a resolution.

3.4 Amendments. Due to the fact that Magnolia East comprises a significant land area, its development may occur in phases over a number of years. Modifications to the Conceptual Plan may become desirable due to changes in market conditions or other factors. In order to provide flexibility with respect to certain details of the development of Magnolia East, Owner may make changes in the location and configuration of the use classifications shown on

the Conceptual Plan, so long as such changes do not result in an increase in the overall density of development of Magnolia East or increase the Impervious Cover Percentage of Magnolia East over ninety percent (90%), and such changes will not require an amendment to the Conceptual Plan. Similarly, minor variations of a preliminary plan or final plat from the Conceptual Plan that do not increase the overall Impervious Cover Percentage of Magnolia East over ninety percent (90%) and which otherwise comply with the Applicable Rules and this Agreement will not require an amendment to the Conceptual Plan.

3.5 Development Fees and Charges. The Parties agree that only the standard City fees charged to all other development projects in the City will be charged to development of Magnolia East.

3.6 Term of Approvals. The Conceptual Plan, the Magnolia East Approvals, any preliminary subdivision plan or final subdivision plat approved pursuant to this Agreement, and any site development permit approved pursuant to this Agreement will be effective for the term of this Agreement.

ARTICLE 4

TERM, AUTHORITY, AND VESTING OF RIGHTS

4.1 Term.

(a) Initial Term. The Initial Term of this Agreement will commence on the Effective Date and continue for 15 years thereafter, unless sooner terminated under this Agreement.

(b) Extensions. After the Initial Term, the Agreement may be extended for up to two successive 15-year periods by Owner sending the City written notice 60 days before the term expires.

(c) Expiration. After the Initial Term and any extension, this Agreement will be of no further force and effect, except that termination will not affect any right or obligation arising from Magnolia East Approvals previously granted.

(d) Termination or Amendment. This Agreement may be terminated or amended as to all of the Land at any time by mutual written consent of the City and Owner or may be terminated or amended only as to a portion of the Land by the mutual written consent of the City and the owners of only the portion of the Land affected by the amendment or termination.

4.2 Authority. This Agreement is entered into, in part, under the statutory authority of Section 212.172 of the Local Government Code. The parties intend that this Agreement provide for the annexation of the Land into the City; authorize certain land uses and development on the Land (both before and after annexation of the Land); provide for the uniform review and approval of plats and site development permits for the Land; provide exceptions to certain ordinances; and provide other terms and consideration, including the continuation of land uses and zoning upon annexation of the Land into the City.

4.3 Vesting of Rights. This Agreement shall constitute the first application in a series of applications for the purpose of vesting as contemplated in Chapter 245 of the Texas Local Government Code. The City agrees that, in accordance with Chapter 245, Local Government Code, the City will consider the approval of any further approvals necessary for Magnolia East based solely on the Applicable Rules, as modified by the Magnolia East Approvals and this Agreement. Further, the City agrees that, upon approval of this Agreement, Owner has vested authority to develop the Land in accordance with the Applicable Rules, as modified by any exceptions contained in the Magnolia East Approvals and this Agreement.

4.4 Landowner's Right to Continue Development. In consideration of Owner's agreements hereunder, the City agrees that, during the term of this Agreement, it will not impose or attempt to impose: (a) any moratorium on building or development within Magnolia East, or (b) any land use or development regulation that limits the rate or timing of land use approvals, whether affecting preliminary plans, final plats, site plans, site development permits, building permits, certificates of occupancy, or other necessary approvals within Magnolia East. No City-imposed moratorium, growth restriction, or other limitation affecting the rate, timing, or sequencing of development or construction of all or any part of Magnolia East will apply to the Land if such moratorium, restriction, or other limitation conflicts with this Agreement or would have the effect of increasing Owner's obligations or decreasing Owner's rights and benefits under this Agreement. This Agreement on the part of the City will not apply to temporary moratoriums uniformly imposed throughout the City due to an emergency constituting an imminent threat to the public health or safety, provided that the temporary moratorium continues only during the duration of the emergency.

4.5 Equivalent Substitute Obligation. If either Party is unable to meet an obligation under this Agreement due to a court order invalidating all or a portion of this Agreement, preemptive state or federal law, an imminent and bona fide threat to public safety that prevents performance or requires different performance, changed circumstances or subsequent conditions that would legally excuse performance under this Agreement, or any other reason beyond the Party's reasonable and practical control, the Parties will cooperate to revise this Agreement to provide for an equivalent substitute right or obligation as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable, or other additional or modified rights or obligations that will most nearly preserve each Party's overall contractual benefit under this Agreement. The City agrees to adopt any subsequent ordinances, variances, or other approvals that may be necessary to implement this Section.

4.6 Cooperation.

(a) The City and Owner each agree to execute such further documents or instruments as may be necessary to evidence their agreements hereunder.

(b) The City agrees to cooperate with Owner in connection with any waivers or approvals Owner may desire or require to obtain from the County in connection with the development of the Land.

4.7 Litigation. In the event of any third-party lawsuit or other claim relating to the validity of this Agreement or any actions taken by the parties hereunder, Owner and the City

agree to cooperate in the defense of such suit or claim, and to use their respective best efforts to resolve the suit or claim without diminution of their respective rights and obligations under this Agreement. The filing of any third-party lawsuit relating to this Agreement or the development of Magnolia East will not delay, stop, or otherwise affect the development of Magnolia East or the City's processing or issuance of any approvals for Magnolia East, unless otherwise required by a court of competent jurisdiction. The City agrees not to stipulate or agree to the issuance of any court order that would impede or delay the City's processing or issuance of approvals for Magnolia East unless agreed to by the affected Owner(s) of Magnolia East.

4.8 Consent to Future Annexation. Owner and all subsequent owners of property within Magnolia East voluntarily consent to annexation by City upon the terms and conditions set forth in this Agreement. Notice to all subsequent owners of the Land shall be evidenced by the Memorandum of Agreement which will be recorded in the deed records of the County.

4.9 Annexation by City. Owner submitted to the City that certain Petition for Annexation dated May 1, 2014 (the "Annexation Petition") with the understanding that the Parties would enter into this Development Agreement. Pursuant to the Annexation Petition and this Agreement, the Parties agree that the Land is expected to be annexed by the City into City limits for full purposes on or before June 30, 2014.

ARTICLE 5

GENERAL PROVISIONS

5.1 Assignment: Binding Effect.

(a) This Agreement, and the rights and obligations of Owner hereunder, may be assigned by Owner to a subsequent purchaser or purchasers of all or a portion of the undeveloped property within Magnolia East provided that the assignee assumes all of the obligations that are assigned. Any assignment must be in writing, specifically describe the property in question, set forth the assigned rights and obligations, and be executed by the proposed assignee. A copy of the assignment document must be delivered to the City. Upon any such assignment, Owner will be released of any further obligations under this Agreement as to the property sold and obligations assigned and such assignee will be subject to all obligations under this Agreement and will be entitled to all of the rights and benefits of this Agreement with regard to such property acquired.

(b) If Owner assigns its rights and obligations hereunder as to a portion of Magnolia East, then the rights and obligations of any assignee and Owner will be severable, and Owner will not be liable for the nonperformance of the assignee and vice-versa. In the case of nonperformance by one developer, the City may pursue all remedies against that nonperforming developer, but will not impede development activities of any performing developer as a result of that nonperformance.

(c) The provisions of this Agreement will be binding upon, and inure to the benefit of the parties, and their respective successors and assigns. This Agreement will not, however, be binding upon, or create any encumbrance to title as to, any ultimate consumer who

purchases a fully developed and improved lot within Magnolia East, except for land use and development regulations that may apply to that lot under the terms of this Agreement.

5.2 Severability. If any provision of this Agreement is illegal, invalid, or unenforceable, under present or future laws, it is the intention of the parties that the remainder of this Agreement not be affected, and, in lieu of each illegal, invalid, or unenforceable provision, that a provision be added to this Agreement which is legal, valid, and enforceable and is as similar in terms to the illegal, invalid, or enforceable provision as is possible.

5.3 Applicable Law and Venue. The interpretation, performance, enforcement, and validity of this Agreement is governed by the laws of the State of Texas. Venue will be in a court of appropriate jurisdiction in Montgomery County, Texas.

5.4 No Third-Party Beneficiary. This Agreement is not intended, nor will it be construed, to create any third-party beneficiary rights in any person or entity who is not a Party, unless expressly otherwise provided.

5.5 Mortgagee Protection. This Agreement will not affect the right of Owner to encumber all or any portion of the Land by one or more mortgages, deeds of trust or other instruments to secure financing for all or portions of Magnolia East. The City understands that each lender providing financing for Magnolia East (a "Lender") may require interpretations of or modifications to this Agreement and agrees to cooperate with Owner and its Lender's representatives in connection with any requests for interpretations or modifications. The City agrees not to withhold or delay unreasonably its approval of any requested interpretation or modification if the interpretation or modification is consistent with the intent and purposes of this Agreement. The City agrees as follows:

(a) Neither entering into this Agreement, nor any breach of this Agreement, will affect any lien upon all or any portion of the Land.

(b) The City will, upon written request of a Lender given in compliance with this Agreement, provide the Lender with a copy of any written notice of default given to Owner under this Agreement within ten days of the date such notice is given to Owner.

(c) In the event of default by Owner under this Agreement, a Lender may, but will not be obligated to, cure any default during any cure period extended to Owner, either under this Agreement or under the notice of default.

(d) Any Lender who comes into possession of any portion of the Land by foreclosure or deed in lieu of foreclosure will take such property subject to the terms of this Agreement. No Lender will be liable for any defaults or monetary obligations of Owner arising prior to the Lender's acquisition of title, but a Lender will not be entitled to obtain any permits or approvals with respect to that property until all delinquent fees and other obligations of Owner under this Agreement that relate to the property in question have been paid or performed.

5.6 Certificate of Compliance. Within 15 days of written request by either Party given accordance with this Agreement, the other Party will execute and deliver to the requesting

Party a statement certifying that: (a) this Agreement is unmodified and in full force and effect or, if there have been modifications, that this Agreement is in full force and effect as modified and stating the date and nature of each modification; (b) there are no current uncured defaults under this Agreement, or specifying the date and nature of each default; and (c) any other information that may be reasonably requested. A Party's failure to deliver a requested certification within this 15-day period will conclusively be deemed to constitute a confirmation that this Agreement is in full force without modification, and that there are no uncured defaults on the part of the requesting Party. The City Administrator or City Engineer will be authorized to execute any requested certificate on behalf of the City.

5.7 Default. If either Party defaults in its obligations under this Agreement, the other Party must, prior to exercising a remedy available to that Party due to the default, give written notice to the defaulting Party, specifying the nature of the alleged default and the manner in which it can be satisfactorily cured, and extend to the defaulting Party at least 30 days from receipt of the notice to cure the default. If the nature of the default is such that it cannot reasonably be cured within the 30-day period, the commencement of the cure within the 30-day period and the diligent prosecution of the cure to completion will be deemed a cure within the cure period.

5.8 Remedies for Default. If either Party defaults under this Agreement and fails to cure the default within the applicable cure period, the non-defaulting Party will have all rights and remedies available under this Agreement or applicable law, including the right to institute legal action to cure any default, to enjoin any threatened or attempted violation of this Agreement or to enforce the defaulting Party's obligations under this Agreement by specific performance or writ of mandamus, or to terminate this Agreement. The City acknowledges that any refusal of or delay by the City to perform its obligations under this Agreement may have a substantial and material impact on Owner, and its ability to exercise its rights and perform its obligations under this Agreement. Accordingly, in the event of a default by the City, Owner will be entitled to seek a writ of mandamus, in addition to seeking any other available remedies. All remedies available to a Party will be cumulative and the pursuit of one remedy will not constitute an election of remedies or a waiver of the right to pursue any other available remedy.

5.9 Reservation of Rights. To the extent not inconsistent with this Agreement, each Party reserves all rights, privileges, and immunities under applicable laws.

5.10 Attorneys' Fees. If either Party commences an action against the other to enforce any of the terms of this Agreement or because of the breach by either Party of any of the terms of this Agreement, the losing or defaulting Party shall pay to the prevailing Party the costs and expenses incurred in connection with the prosecution or defense of such action, including, without limitation, consultants', experts', and accountants' fees and reasonable attorneys' fees, or as otherwise determined by any serving arbitrator(s), judge or jury. The term "prevailing Party" means the Party that establishes a breach of this Agreement by the other Party or otherwise establishes liability of the other Party for wrongful conduct, regardless of whether actual damages are awarded. In the case where both Parties prevail on different claims, the prevailing Party shall be the Party that is awarded the greater amount of damages.

5.11 Waiver. Any failure by a Party to insist upon strict performance by the other Party of any provision of this Agreement will not, regardless of the length of time during which that failure continues, be deemed a waiver of that Party's right insist upon strict compliance with all terms of this Agreement. In order to be effective as to a Party, any waiver of default under this Agreement must be in writing, and a written waiver will only be effective as to the specific default and as to the specific period of time set forth in the written waiver. A written waiver will not constitute a waiver of any subsequent default, or of the right to require performance of the same or any other provision of this Agreement in the future.

5.12 Entire Agreement. This Agreement contains the entire agreement of the Parties, and there are no other agreements or promises, oral or written, between the parties regarding the subject matter of this Agreement. This Agreement may be amended only by written agreement signed by the Parties.

5.13 Exhibits, Headings, Construction, and Counterparts. All exhibits attached to this Agreement are incorporated into and made a part of this Agreement for all purposes. The paragraph headings contained in this Agreement are for convenience only and do not enlarge or limit the scope or meaning of the paragraphs. Wherever appropriate, words of the masculine gender may include the feminine or neuter, and the singular may include the plural, and vice-versa. Each of the Parties has been actively and equally involved in the negotiation of this Agreement. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting Party will not be employed in interpreting this Agreement or its exhibits. This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original, and all of which will together constitute the same instrument. This Agreement will become effective only when one or more counterparts, individually or taken together, bear the signatures of all of the Parties.

5.14 Time. Time is of the essence of this Agreement. In computing the number of days for purposes of this Agreement, all days will be counted, including Saturdays, Sundays, and legal holidays; however, if the final day of any time period falls on a Saturday, Sunday, or legal holiday, then the final day will be deemed to be the next day that is not a Saturday, Sunday, or legal holiday.

5.15 Authority for Execution. The City certifies, represents, and warrants that the execution of this Agreement has been duly authorized and that this Agreement has been approved in conformity with City ordinances and other applicable legal requirements. Owner certifies, represents, and warrants that the execution of this Agreement is duly authorized in conformity with its partnership agreement.

5.16 Notices. Any notices under this Agreement may be sent by hand delivery, facsimile (with confirmation of delivery), or certified mail, return receipt requested, to the parties at the following addresses or as such addresses may be changed from time to time by written notice to the other parties:

City: City of Magnolia
Attn: Paul Mendes, City Administrator
18111 Buddy Riley Blvd.

Magnolia, Texas 77354
Facsimile: (281)259-7811

Copy to: Leonard Schneider
Liles Parker PLLC
800 Rockmead Dr., Suite 165
Kingwood, Texas 77339
Facsimile: (713) 456-2079

Owner: 306 Montgomery, Ltd.
1800 St. James Place, Suite 218
Houston, Texas 77056
Facsimile: (713) 871-1989

Copy to: Kenneth N. Jones
Armbrust & Brown, PLLC
100 Congress Avenue, Suite 1300
Austin, Texas 78701
Facsimile: (512) 435-2360

Either City or Owner may change its mailing address at any time by giving written notice of such change to the other in the manner provided herein at least ten days prior to the date such change is effected. In the event that this Agreement is partially assigned to and assumed by the purchaser of a portion of Magnolia East, such new owner may give written notice to the Parties hereunder in accordance with this Section 5.16 of such new owner's address for notices hereunder and such address will be used for notices under this Agreement for such new owner. All notices under this Agreement will be deemed given on the earlier of the date personal delivery is effected or on the delivery date or attempted delivery date shown on the return receipt or facsimile confirmation.

5.17 Exhibits. The following exhibits are attached to this Agreement and made a part hereof for all purposes:

- | | | |
|-----------|---|--|
| Exhibit A | - | Metes and Bounds Description of the Land |
| Exhibit B | - | City Infrastructure Facilities |
| Exhibit C | - | Conceptual Plan |
| Exhibit D | - | Magnolia East Approvals |
| Exhibit E | - | City Infrastructure Facilities Schedule |

* * *

[signature page follows]

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the dates indicated below, to be effective on the date the last Party signs.

CITY OF MAGNOLIA

By: [Signature]
Name: Todd Kana
Title: Mayor
Date: June 18, 2014

STATE OF TEXAS §

COUNTY OF MAGNOLIA §

This instrument was acknowledged before me on the 18th day of June, 2014, by TODD KANA, the MAYOR of the City of Magnolia, a general law city, on behalf of the city.



[Signature]
Notary Public, State of Texas

**306 MONTGOMERY LIMITED, a Texas
limited partnership**

By: **A/F/G Management Company, its
General Partner**

By: J. Kenneth Anderson
J. Kenneth Anderson, Partner

By: Phillip R. Fitzgerald
Phillip R. Fitzgerald, Partner

By: Saverio V. Giammalva
Saverio V. Giammalva, Partner

Date: June 17, 2014

STATE OF TEXAS §

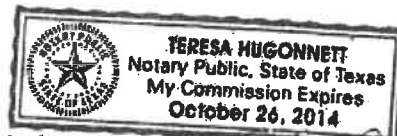
COUNTY OF Harris §

This instrument was acknowledged before me on the 17 day of June, 2014, by J. Kenneth Anderson, Partner of A/F/G Management Company, General Partner of 306 Montgomery, Ltd., a Texas limited partnership, and who represents he has been given authority to sign this Agreement by and on behalf of said entities.

Teresa Hugonnett
Notary Public, State of Texas

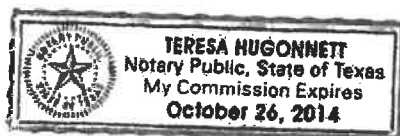
STATE OF TEXAS §

COUNTY OF Harris §



This instrument was acknowledged before me on the 17 day of June, 2014, by Phillip R. Fitzgerald, Partner of A/F/G Management Company, General Partner of 306 Montgomery, Ltd., a Texas limited partnership, and who represents he has been given authority to sign this Agreement by and on behalf of said entities.

Teresa Hugonnett
Notary Public, State of Texas



STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 17 day of June, 2014, by Saverio V. Giammalva, Partner of A/F/G Management Company, General Partner of 306 Montgomery, Ltd., a Texas limited partnership, and who represents he has been given authority to sign this Agreement by and on behalf of said entities.


Notary Public, State of Texas



EXHIBIT A

Metes and Bounds Description of the Land

DESCRIPTION OF
162.394 ACRES

Being 162.394 acres of land, located in the Colin McRae Survey, Abstract 375, and the John B. Richards Survey, Abstract 449, Montgomery County, Texas, more particularly being all of that certain called 162.425 acre tract conveyed to 306 Montgomery, LTD. by an instrument of record under Document Number 2010037710 in the Official Public Records of Real Property of said Montgomery County (M.C.O.P.R.R.P.), said 162.394 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, Central Zone, NAD 83 (Epoch 2010.00)):

BEGINNING at a 1-inch pinched top pipe found for the northwest corner of that certain called 1.038 acre tract conveyed to TEPPCO Crude Pipeline, L.P. by an instrument of record under File Number 2005-067316, M.C.O.P.R.R.P., being on the existing southerly right-of-way line of F.M. 1488 (100-feet wide) and the northeast corner of the herein described tract, from which a found 1-inch iron pipe bears North 87° 04' 51" East, 160.01 feet;

Thence, South 02° 42' 58" East, with the west line of said 1.038 acre tract, 282.39 feet to a 3/4-inch iron rod found for corner;

Thence, North 86° 25' 16" East, with the south line of said 1.038 acre tract, 161.29 feet to a 1-inch iron pipe found for corner on the existing westerly right-of-way line of Spur 149 (60-feet wide);

Thence, South 02° 45' 40" East, with the existing westerly right-of-way line of said Spur 149, 754.52 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner, being the northeast corner of that certain called 20.204 acre tract conveyed to Toni A. Thompson by an Instrument of record under File Number 2001-010758, M.C.O.P.R.R.P.;

162.394 Acres

January 22, 2014
Job No. 1558-0001

Thence, South 78° 33' 52" West, departing said existing westerly right-of-way line, with the northerly line of said 20.204 acre tract, 944.47 feet to a 1/2-inch iron rod with cap stamped "BPI" found for the northwest corner of said 20.204 acre tract;

Thence with the westerly line of said 20.204 acre tract, the following three (3) courses:

1. South 14° 42' 22" East, 486.51 feet to a 1/2-inch iron rod with cap stamped "BPI" found for corner;
2. South 75° 52' 27" West, 89.92 feet to a found PK-nail in the top of wooden fence post found for corner;
3. South 14° 06' 28" East, 476.86 feet (called 477.43 feet) to a point for corner, from which a found 5/8-inch iron rod bears South 80° 47' 33" West, 0.30 feet;

Thence, South 80° 51' 43" West, along the southerly line of aforementioned 162.425 acre tract, as found monumented and occupied, 1,023.55 feet to a found 5/8-inch iron rod marking the northwest corner of that certain called 5.0305 acre tract conveyed to Michael L. Kessler by an instrument of record under File Number 8511151, M.C.O.P.R.R.P., same being the northeast corner of that certain called 2.8513 acre tract conveyed to Corydon H. Wagner, et ux by an instrument of record under Document Number 2010106061, M.C.O.P.R.R.P.;

Thence, South 80° 26' 33" West, continuing along the southerly line of said 162.425 acre tract, as found monumented and occupied, with the northerly line of said 2.8513 acre tract, 251.73 feet to a found 5/8-inch iron rod marking the northwest corner of said 2.8513 acre tract, same being the northeast corner of that certain called 2.0000 acre tract conveyed to Lewis D. Carsten, et ux by an instrument of record under Volume 1131, Page 270 of the Deed Records of said Montgomery County (M.C.D.R.);

Thence, South 80° 44' 10" West, continuing along the southerly line of said 162.425 acre tract, as found monumented and occupied, with the northerly line of said 2.0000 acre tract and the northerly line of that certain called 3.006 acre tract conveyed to Jimmy J. Hatcher, et ux by an instrument of record under File Number 2004-037632, M.C.O.P.R.R.P., 344.80 feet to a found 5/8-inch iron rod marking the northwest corner of said 3.006 acre tract, being on the easterly line of the Fort Worth & Dallas Railroad (Trinity and Brazos Valley Railroad Company) (width varies), same being the southwest corner of the herein described tract;

Thence, with the easterly line, the following sixteen (16) courses:

1. North 25° 16' 18" West 62.33 feet (called 62.19 feet) to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
2. North 22° 19' 40" West, 200.00 feet to a 1/2-inch iron rod found for corner;
3. North 71° 08' 48" East, 25.00 feet to a point for corner, from which a found 3/8-inch iron rod bears South 87° 07' 08" East, 0.36';
4. North 18° 51' 40" West, 182.80 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
5. North 17° 09' 40" West, 516.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
6. South 72° 50' 20" West, 25.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
7. North 17° 09' 40" West, 400.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

162.394 Acres

January 22, 2014
Job No. 1558-0001

8. North 72° 50' 20" East, 25.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
9. North 17° 09' 40" West, 1,100.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
10. South 72° 50' 20" West, 25.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
11. North 17° 09' 40" West, 400.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
12. North 72° 50' 20" East, 25.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
13. North 17° 09' 40" West, 600.00 feet to a found 1/2-inch iron rod with cap stamped "BPI";
14. North 72° 50' 20" East, 25.00 feet to a point for corner, from which a found 1/2-inch iron rod bears South 49° 39' 31" West, 0.21 feet;
15. North 11° 19' 40" West, 344.80 feet to a found 1/2-inch iron rod with cap stamped "BPI", from which a found TxDOT Type I Monument bears North 10° 35' 47" East, 1.25 feet;
16. North 04° 58' 51" East, 268.17 feet to a found 3/8-inch iron rod with cap stamped "Landtech", being on the aforementioned existing southerly right-of-way line of F.M. 1488, from which a found 3/8-inch iron rod bears North 88° 51' 40" East, 0.45 feet, the beginning of a curve;

162.394 Acres

January 22, 2014
Job No. 1558-0001

Thence, with said existing southerly right-of-way line of said F.M. 1488, the following three (3) courses:

1. 993.34 feet along the arc of a non-tangent curve to the right, having a radius of 2,814.80 feet, a central angle of $20^{\circ} 13' 11''$, and a chord that bears South $62^{\circ} 44' 47''$ East, 988.20 feet to a found TxDOT Type I Monument;
2. South $52^{\circ} 39' 35''$ East, 1066.12 feet (called 1,066.08 feet) to a found TxDOT Type I Monument, the beginning of a curve;
3. 1,381.54 feet along the arc of a non-tangent curve to the left, having a radius of 1960.80 feet, a central angle of $40^{\circ} 22' 10''$, and a chord that bears South $72^{\circ} 49' 28''$ East, 1,353.14 feet to a found TxDOT Type I Monument;

Thence, North $87^{\circ} 04' 51''$ East, continuing with said existing southerly right-of-way line, 191.40 feet to the POINT OF BEGINNING and containing 162.394 acres of land.

This description was prepared from a survey prepared by the undersigned dated January 22, 2014.



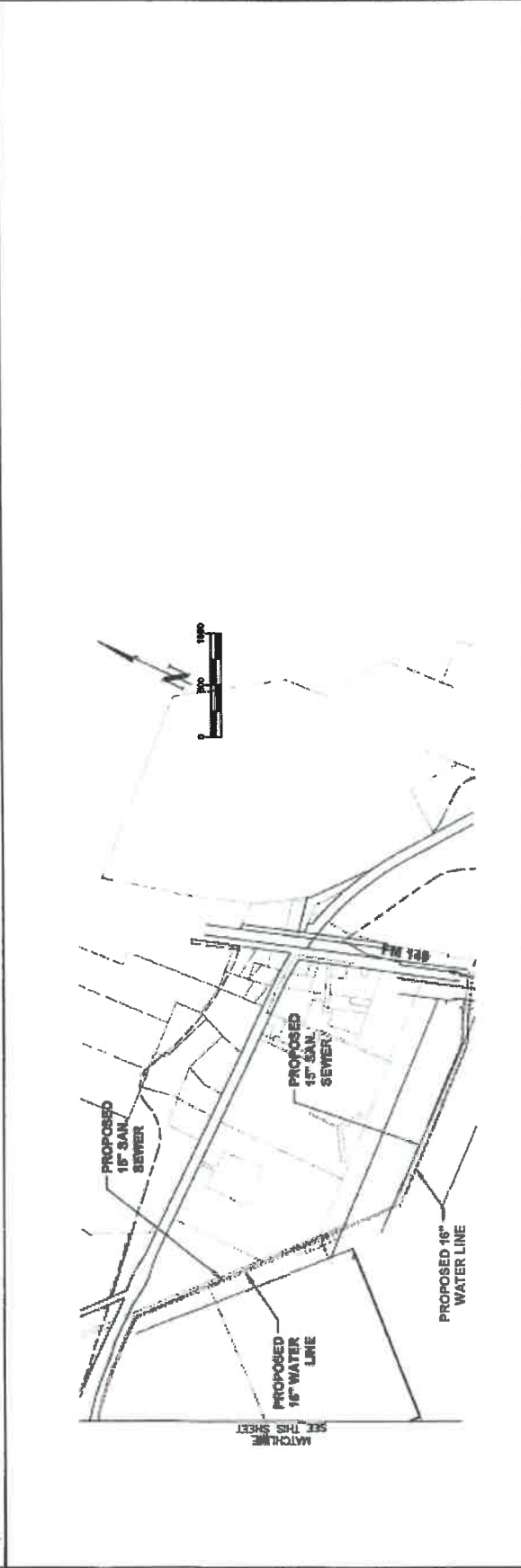
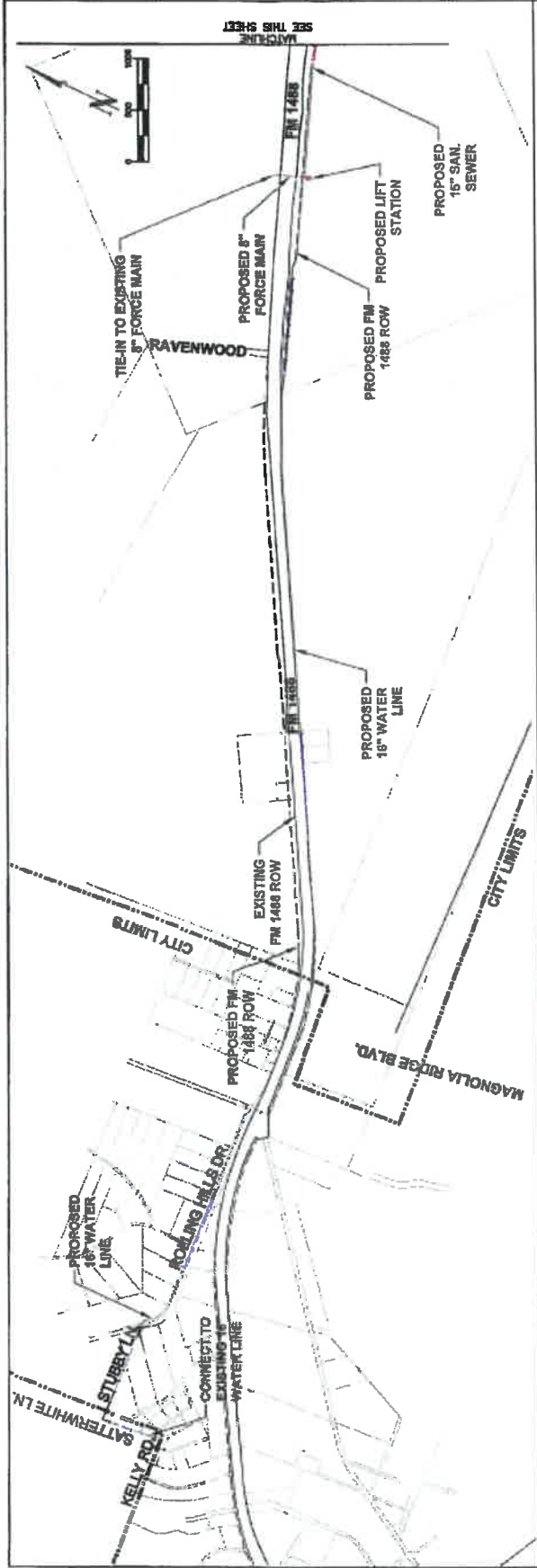
Stephen S. Sekal
Registered Professional Land Surveyor
Texas Registration No. 5673



LJA Engineering & Surveying Inc.

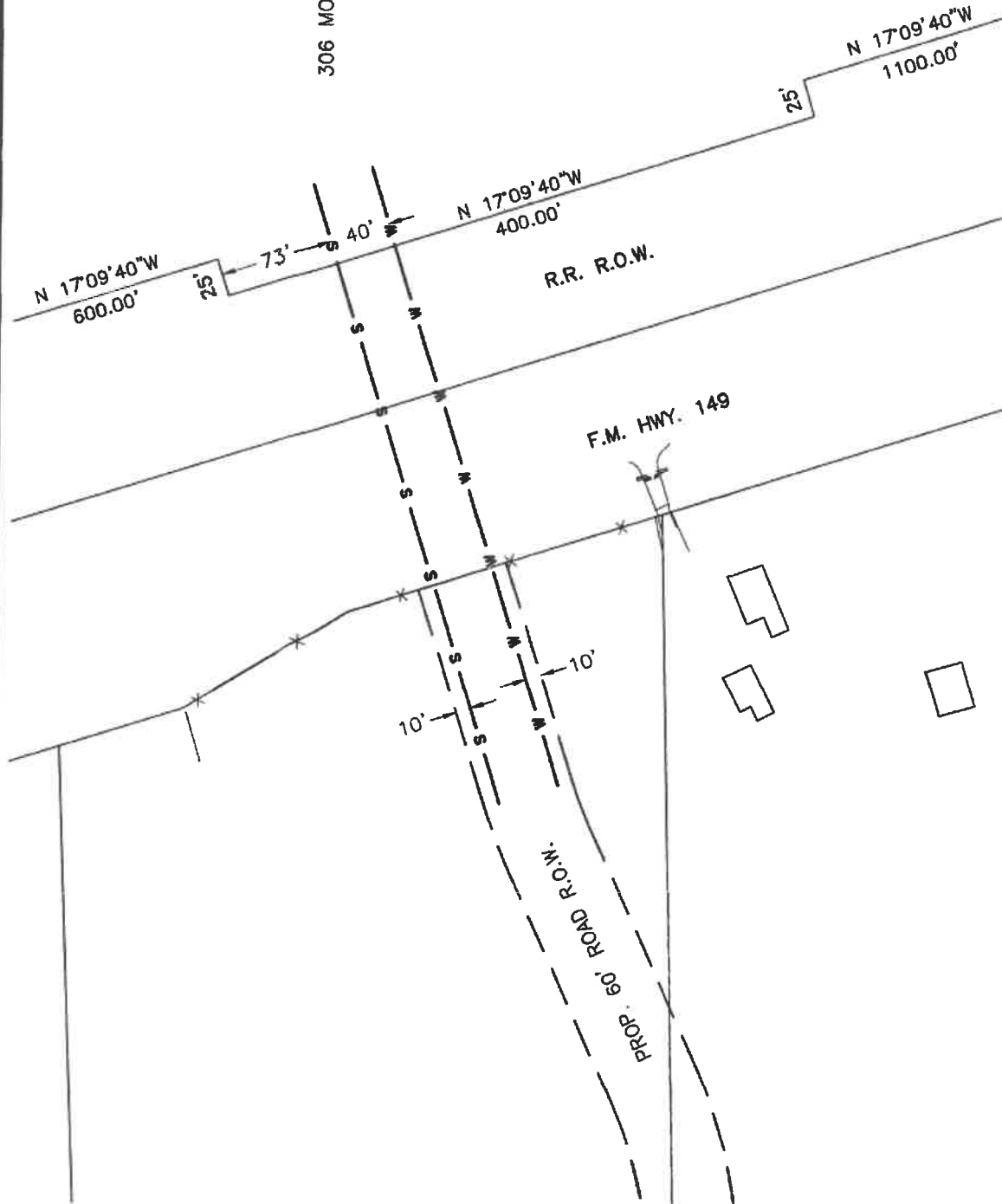
EXHIBIT B

City Infrastructure Facilities





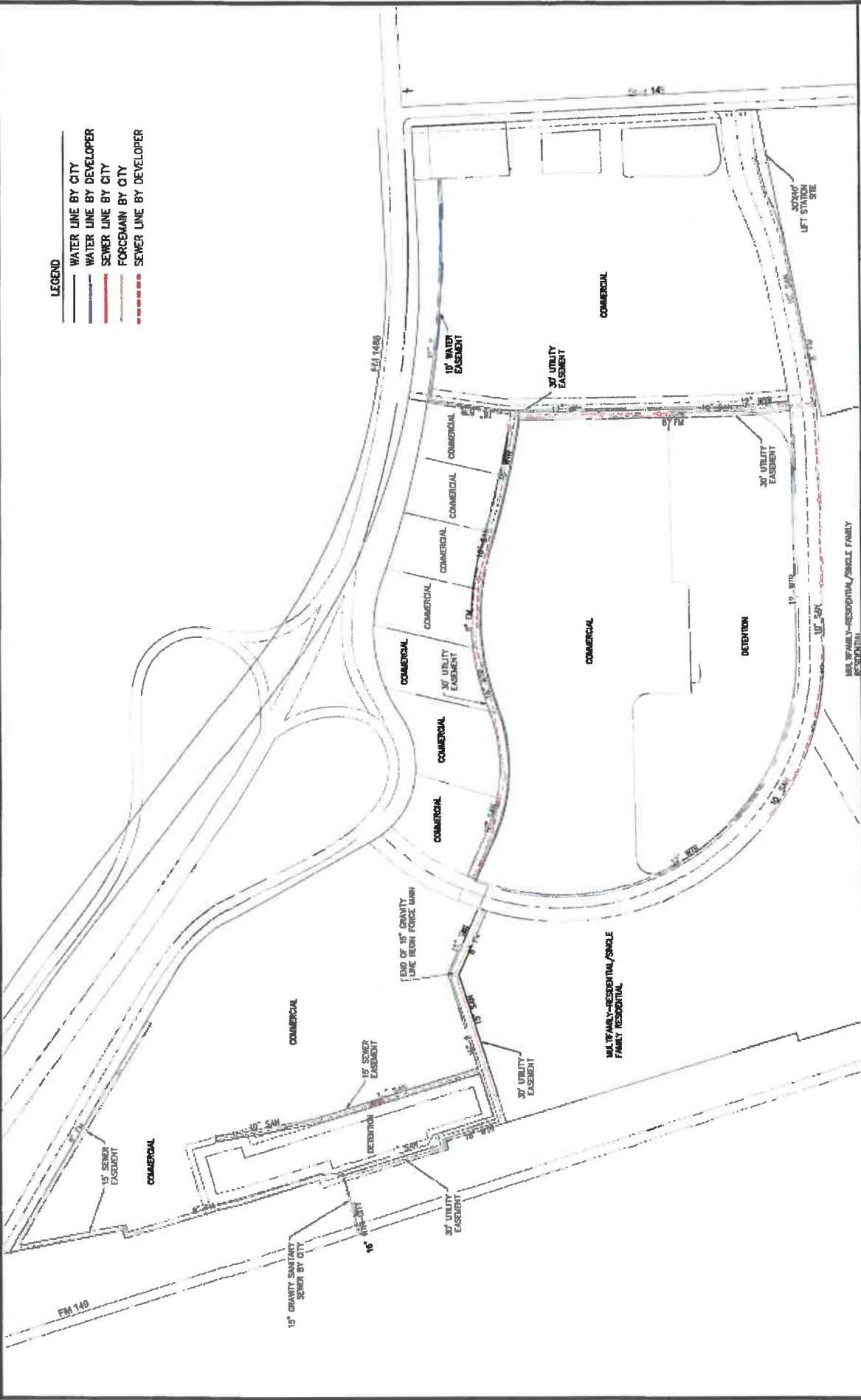
306 MONTGOMERY LTD.



	Scale: SEE BAR SCALE	
	Project Number: 587.033 MA	
	Drawn By: MVB	Date: 5-14
	Revised:	
	Sheet Number: 1	...Of... 1

CITY OF MAGNOLIA
PROPOSED UTILITY CROSSING

O'Malley Engineers
TBPE No. F-3244
203 S. Jackson
Brenham, Texas 77833
(979) 836-7937
Fax (979) 836-7936



LEGEND

- WATER LINE BY CITY
- WATER LINE BY DEVELOPER
- SEWER LINE BY CITY
- FORCEMAIN BY CITY
- SEWER LINE BY DEVELOPER

	<p>CITY OF MAGNOLIA MONTGOMERY COUNTY, TEXAS</p>	<p>180 ACRE DEVELOPMENT PLAN</p>	<p>MASTER UTILITY PLAN WATER & SANITARY</p>
--	--	---	---

EXHIBIT C

Conceptual Plan

The Conceptual Plan consists of the permissible uses in Magnolia East together with diagram attached hereto. Subject to the Prohibited Uses specified below, the following are the permissible uses within Magnolia East:

1. Commercial. Those areas identified as Commercial may be used for any commercial purpose that is not a Prohibited Use. Commercial purposes include, but are not limited to, office uses, hotel, medical uses, extended care, retail uses (include grocery store of any size or format and all accessory uses), service station (which may include car wash), restaurant and fast food uses, pharmacy, and all accessory uses.
2. Multifamily. Those areas identified as Multifamily may be used for any multifamily purpose that is not a Prohibited Use. Multifamily purposes include, but are not limited to, apartments, condominiums (whether for rent or sale), townhomes and duplexes, tri-plexes and four-plexes.
3. Single Family. Those areas identified as Single Family may be used for any single family purpose that is not a Prohibited Use. Single Family purposes include, but are not limited to, single family homes, condominiums (whether for rent or sale), townhomes and duplexes.

The following uses are prohibited in Magnolia East (collectively, "Prohibited Uses"):

1. Pawn shops.
2. Sexually oriented businesses.
3. Mobile home parks.
4. Junkyards, including but not limited to, motor vehicles.
5. Solid waste disposal sites.

EXHIBIT D

Magnolia East Approvals

1. Ordinance or Resolution of the City of Magnolia, Texas, Authorizing and Approving the Execution of a Development Agreement.
2. The City agrees that Owner may request City approval to use non-standard signage and lighting within Magnolia East. Subject to prior City approval of the standards for the signage and lighting, the City agrees to allow the use of the non-standard lighting and signage provided that Owner, or an owners' association created by Owner assumes the responsibility for any incremental costs associated with the maintenance, replacement, or repair of the signage or lighting.

EXHIBIT E

City Infrastructure Facilities Schedule

Begin Design – June 1, 2014

Complete Design – October 1, 2014

Award Bids – November 15, 2014

Begin Construction – January 1, 2015

End Construction – December 1, 2015

RESOLUTION NO. R-2014-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, RATIFYING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MAGNOLIA, TEXAS AND 306 MONTGOMERY LIMITED, AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S SUPPORT OF THE MAGNOLIA EAST DEVELOPMENT.

* * * * *

WHEREAS, 306 Montgomery Limited has proposed a development for a mixed use, commercial project ("Magnolia East") wholly within the City of Magnolia, Texas ("City") ETJ and in Montgomery County, Texas; and

WHEREAS, the City desires to foster economic development and has determined that a development agreement covering mixed-use commercial developments such as Magnolia East will benefit the City by establishing certain land use controls, encouraging economic growth, protecting the environment and promoting the welfare of the citizens of the City; and

WHEREAS, 306 Montgomery Limited previously requested annexation of Magnolia East as part of the Development Agreement and submitted such a request and the City approved; and

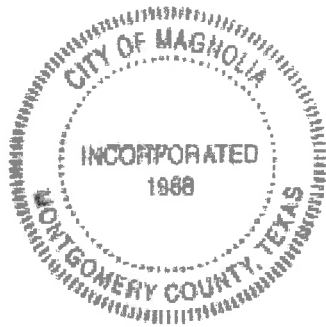
WHEREAS, the City entered into a "Development Agreement between The City of Magnolia, Texas and 306 Montgomery Limited" on June 18, 2014.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the City supports the proposed Magnolia East development and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this Resolution and Magnolia East development.

Section 2. The City ratifies the "Development Agreement Between The City of Magnolia, Texas and 306 Montgomery Limited" entered into on June 18, 2014.

PASSED AND APPROVED this 23rd day of June 2014.



The City of Magnolia

A handwritten signature in black ink, appearing to read "Todd Kana", written over a horizontal line.

Todd Kana, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Lynne George", written over a horizontal line.

Lynne George, CPM, TRMC
City Secretary

2. Zoning / Vesting of Rights. The City adopted its zoning ordinance after the Vesting Date under the Development Agreement. The Parties confirm that to the full extent provided in the Development Agreement, the rules, regulations, requirements, rights and entitlements set out in the Development Agreement remain valid and in effect. Accordingly, the Parties agree that although the land uses under the Zoning Designation will apply to the Land all other provisions in the City's zoning ordinance or in the Zoning Designation that address matters other than land use, such as (by way of example and not limitation) landscaping, buffers or tree preservation, open space or park dedication, lot size, lot dimensions or configuration, lot coverage, building size, building set back, building height, building bulk, building density, lighting, signage, driveway size or location, and fencing, shall not apply to the Land except to the extent that those provisions were included in the Applicable Rules on the Vesting Date.

3. City Infrastructure Facilities. The Parties agree that the City has completed or will complete the City Infrastructure Facilities and has substantially completed the water and wastewater utility facilities which are adequately sized for development of the Land to the fullest extent permitted under the Development Agreement.

4. Miscellaneous.

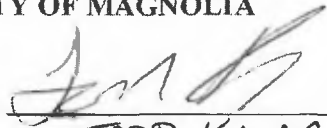
a. All terms and conditions of the Development Agreement not expressly modified by this Amendment shall remain in full force and effect, and, in the event of any inconsistencies between this Amendment and the terms of the Development Agreement, the terms set forth in this Amendment shall govern and control. Except as expressly amended hereby, the Development Agreement shall remain in full force and effect.

b. This Amendment may be executed in one or more counterparts which shall be construed together as one document. For purposes of the execution hereof, telecopied signatures may be treated as originals.

**FIRST AMENDMENT
DEVELOPMENT AGREEMENT
FOR MAGNOLIA EAST**

SIGNATURE PAGE

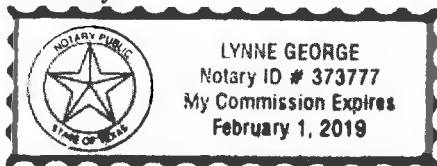
CITY OF MAGNOLIA

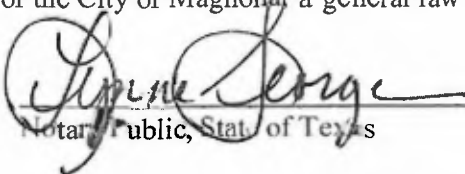
By: 
Name: TODD KANA
Title: MAYOR
Date: JULY 23, 2016

STATE OF TEXAS §

COUNTY OF MAGNOLIA §

This instrument was acknowledged before me on the 23rd day of July, 2016, by TODD KANA, the MAYOR of the City of Magnolia, a general law city, on behalf of the city.




Notary Public, State of Texas

**FIRST AMENDMENT
DEVELOPMENT AGREEMENT
FOR MAGNOLIA EAST**

SIGNATURE PAGE

**MAGNOLIA EAST 149, L.L.C., a
Texas limited liability company**

By: Stratus Properties Inc., a Delaware
corporation, Sole Member

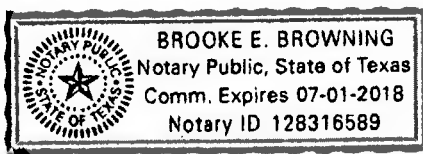
By: Erin D. Pickens
Erin D. Pickens,
Senior Vice President

Date: 7/27/16

STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on the 27 day of July, 2016, by Erin D. Pickens, Senior Vice President of Stratus Properties Inc., a Delaware corporation, sole member of Magnolia East 149, L.L.C., a Texas limited liability company, on behalf of said entities.



Brooke E. Browning
Notary Public, State of Texas

**FIRST AMENDMENT
DEVELOPMENT AGREEMENT
FOR MAGNOLIA EAST**

SIGNATURE PAGE

**HEB GROCERY COMPANY, LP, a
Texas limited partnership**



By: _____

Todd A. Piland, Executive Vice President

Date: _____

12/7/16

STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before me on the 7th day of December, 2016, by Todd A. Piland, Executive Vice President of HEB Grocery Company, LP, a Texas limited partnership, on behalf of said entity.



Notary Public, State of Texas



EXHIBIT "A"

LAND

Revised January, 2014
January 22, 2014
Job No. 1558-0001

**DESCRIPTION OF
162.394 ACRES**

Being 162.394 acres of land, located in the Colin McRae Survey, Abstract 375, and the John B. Richards Survey, Abstract 449, Montgomery County, Texas, more particularly being all of that certain called 162.425 acre tract conveyed to 306 Montgomery, LTD. by an instrument of record under Document Number 2010037710 in the Official Public Records of Real Property of said Montgomery County (M.C.O.P.R.R.P.), said 162.394 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, Central Zone, NAD 83 (Epoch 2010.00)):

BEGINNING at a 1-inch pinched top pipe found for the northwest corner of that certain called 1.038 acre tract conveyed to TEPPCO Crude Pipeline, L.P. by an instrument of record under File Number 2005-067316, M.C.O.P.R.R.P., being on the existing southerly right-of-way line of F.M. 1488 (100-feet wide) and the northeast corner of the herein described tract, from which a found 1-inch iron pipe bears North 87° 04' 51" East, 160.01 feet;

Thence, South 02° 42' 58" East, with the west line of said 1.038 acre tract, 282.39 feet to a 3/4-inch iron rod found for corner;

Thence, North 86° 25' 16" East, with the south line of said 1.038 acre tract, 161.29 feet to a 1-inch iron pipe found for corner on the existing westerly right-of-way line of Spur 149 (60-feet wide);

Thence, South 02° 45' 40" East, with the existing westerly right-of-way line of said Spur 149, 754.52 feet to a 1/2-inch iron rod found for corner, being the northeast corner of that certain called 20.204 acre tract conveyed to Toni A. Thompson by an instrument of record under File Number 2001-010758, M.C.O.P.R.R.P.;

162.394 Acres

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Thence, South 78° 33' 52" West, departing said existing westerly right-of-way line, with the northerly line of said 20.204 acre tract, 944.47 feet to a 1/2-inch iron rod with cap stamped "BPI" found for the northwest corner of said 20.204 acre tract;

Thence with the westerly line of said 20.204 acre tract, the following three (3) courses:

1. South 14° 42' 22" East, 486.51 feet to a 1/2-inch iron rod with cap stamped "BPI" found for corner;
2. South 75° 52' 27" West, 89.92 feet to a found PK-nail in the top of wooden fence post found for corner;
3. South 14° 06' 28" East, 476.86 feet (called 477.43 feet) to a point for corner, from which a found 5/8-inch iron rod bears South 80° 47' 33" West, 0.30 feet;

Thence, South 80° 51' 43" West, along the southerly line of aforementioned 162.425 acre tract, as found monumented and occupied, 1,023.55 feet to a found 5/8-inch iron rod marking the northwest corner of that certain called 5.0305 acre tract conveyed to Michael L. Kessler by an instrument of record under File Number 8511151, M.C.O.P.R.R.P., same being the northeast corner of that certain called 2.8513 acre tract conveyed to Corydon H. Wagner, et ux by an instrument of record under Document Number 2010106061, M.C.O.P.R.R.P.;

Thence, South 80° 26' 33" West, continuing along the southerly line of said 162.425 acre tract, as found monumented and occupied, with the northerly line of said 2.8513 acre tract, 251.73 feet to a found 5/8-inch iron rod marking the northwest corner of said 2.8513 acre tract, same being the northeast corner of that certain called 2.0000 acre tract conveyed to Lewis D. Carsten, et ux by an instrument of record under Volume 1131, Page 270 of the Deed Records of said Montgomery County (M.C.D.R.);

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Thence, South 80° 44' 10" West, continuing along the southerly line of said 162.425 acre tract, as found monumented and occupied, with the northerly line of said 2.0000 acre tract and the northerly line of that certain called 3.006 acre tract conveyed to Jimmy J. Hatcher, et ux by an instrument of record under File Number 2004-037632, M.C.O.P.R.R.P., 344.80 feet to a found 5/8-inch iron rod marking the northwest corner of said 3.006 acre tract, being on the easterly line of the Fort Worth & Dallas Railroad (Trinity and Brazos Valley Railroad Company) (width varies), same being the southwest corner of the herein described tract;

Thence, with the easterly line, the following sixteen (16) courses:

1. North 25° 16' 18" West 62.33 feet (called 62.19 feet) to a 1/2-inch iron rod with cap stamped "BPI" found for corner;
2. North 22° 19' 40" West, 200.00 feet to a 1/2-inch iron rod found for corner;
3. North 71° 08' 48" East, 25.00 feet to a point for corner, from which a found 3/8-inch iron rod bears South 87° 07' 08" East, 0.36';
4. North 18° 51' 40" West, 182.80 feet to a 1/2-inch iron rod with cap stamped "BPI" found for corner;
5. North 17° 09' 40" West, 516.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner, from a found 1/2-inch iron rod with cap stamped "BPI" bears South 59° 13' 08" West, 0.67 feet;
6. South 72° 50' 20" West, 25.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner, from which a found 1/2-inch iron rod with cap stamped "BPI" bears South 60° 39' 34" West, 0.64 feet;

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7. North 17° 09' 40" West, 400.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
8. North 72° 50' 20" East, 25.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
9. North 17° 09' 40" West, 1,100.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
10. South 72° 50' 20" West, 25.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
11. North 17° 09' 40" West, 400.00 feet to a 1/2-inch iron rod with cap stamped "BPI" found for corner;
12. North 72° 50' 20" East, 25.00 feet to a 1/2-inch iron rod with cap stamped "BPI" found for corner;
13. North 17° 09' 40" West, 600.00 feet to a found 1/2-inch iron rod with cap stamped "BPI";
14. North 72° 50' 20" East, 25.00 feet to a found 1/2-inch iron rod with cap stamped "BPI";
15. North 11° 19' 40" West, 344.80 feet to a found 1/2-inch iron rod with cap stamped "BPI", from which a found TxDOT Type I Monument bears North 10° 35' 47" East, 1.25 feet;

162.394 Acres

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16. North $04^{\circ} 58' 51''$ East, 268.17 feet to a found 3/8-inch iron rod with cap stamped "Landtech", being on the aforementioned existing southerly right-of-way line of F.M. 1488, from which a found 3/8-inch iron rod bears North $88^{\circ} 51' 40''$ East, 0.45 feet, the beginning of a curve;

Thence, with said existing southerly right-of-way line of said F.M. 1488, the following three (3) courses:

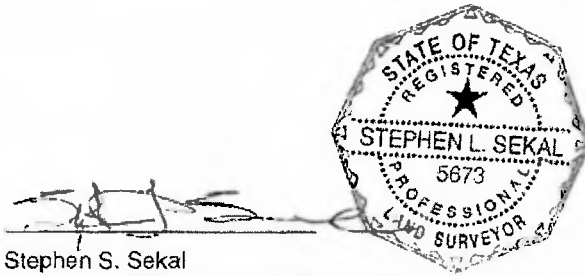
1. 993.34 feet along the arc of a non-tangent curve to the right, having a radius of 2,814.80 feet, a central angle of $20^{\circ} 13' 11''$, and a chord that bears South $62^{\circ} 44' 47''$ East, 988.20 feet to a found TxDOT Type I Monument;
2. South $52^{\circ} 39' 35''$ East, 1066.12 feet (called 1,066.08 feet) to a found TxDOT Type I Monument, the beginning of a curve;
3. 1,381.54 feet along the arc of a non-tangent curve to the left, having a radius of 1960.80 feet, a central angle of $40^{\circ} 22' 10''$, and a chord that bears South $72^{\circ} 49' 28''$ East, 1,353.14 feet to a found TxDOT Type I Monument;

162.394 Acres

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Thence, North 87° 04' 51" East, continuing with said existing southerly right-of-way line,
191.40 feet to the POINT OF BEGINNING and containing 162.394 acres of land.

This description was prepared from a survey prepared by the undersigned dated
January 22, 2014.



LJA Engineering & Surveying Inc.

Stephen S. Sekal
Registered Professional Land Surveyor
Texas Registration No. 5673

EXHIBIT "B"

HEB LAND

Being 18.485 acres (805,198 square feet) of land, located in the John B. Richards Survey, Abstract 449, Montgomery County, Texas, more particularly being all of Magnolia East Reserve 1, a subdivision of record under File Number 2014-071735, Sheet Number's 2954 - 2955, Cabinet Z of the Plat Records of said Montgomery County (M.C.P.R.), said 18.485 acres (805,198 square feet) being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, Central Zone, NAD 83 (Epoch 2010.00)):

COMMENCING at a 1-inch pinched top pipe found for the common northerly corner of that certain called 1.038 acre tract conveyed to TEPPCO Crude Pipeline, L.P. by an instrument of record under File Number 2005-067316 in the Official Public Records of Real Property of said Montgomery County (M.C.O.P.R.R.P.) and that certain called 19.87 acre tract conveyed to The State of Texas of record under Document Number 2014083946, M.C.O.P.R.R.P., being on the existing south right-of-way line of Farm to Market Road Number 1488 (F.M. 1488) (width varies), and from which a found 1-inch iron pipe bears North 87° 04' 51" East, 160.01 feet;

Thence, South 02° 42' 58" East, along the line common to the west line of said 1.038 acre tract and the east line of said 19.87 acre tract, 69.81 feet (called 70.00 feet) to the southeast corner of said 19.87 acre tract, being the POINT OF BEGINNING, from which a found TxDOT aluminum disc bears South 83° 36' 08" East, 0.23 feet;

Thence, South 02° 42' 58" East, continuing along the west line of said 1.038 acre tract, 212.58 feet to a 3/4-inch iron rod found for corner;

Thence, North 86° 25' 16" East, with the south line of said 1.038 acre tract, 161.29 feet to a 1-inch iron pipe found for corner on the existing west right-of-way line of Spur 149 (60-foot wide as monumented and occupied);

Thence, South 02° 45' 40" East, with the existing west right-of-way line of said Spur 149, 620.42 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner, the beginning of a curve;

Thence, 39.30 feet along the arc of said curve to the right having a radius of 25.00 feet, a central angle of 90° 04' 47", and a chord which bears South 42° 16' 44" West, 35.38 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner;

Thence, South 87° 19' 07" West, 16.76 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner, the beginning of a curve;

Thence, 279.02 feet along the arc of said curve to the left having a radius of 746.00 feet, a central angle of 21° 25' 48", and a chord which bears South 76° 36' 07" West, 277.40 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner, the beginning of a reverse curve;

{W0625889.2}

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Thence, 221.18 feet along the arc of said curve to the right having a radius of 1,000.00 feet, a central angle of $12^{\circ} 40' 22''$, and a chord which bears South $72^{\circ} 13' 24''$ West, 220.73 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner;

Thence, South $78^{\circ} 33' 35''$ West, 224.08 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner, the beginning of a curve;

Thence, 138.73 feet along the arc of said curve to the right having a radius of 1,460.00 feet, a central angle of $05^{\circ} 26' 39''$, and a chord which bears South $81^{\circ} 16' 55''$ West, 138.68 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner;

Thence, North $06^{\circ} 13' 53''$ West, 77.83 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner, the beginning of a curve;

Thence, 136.91 feet along the arc of said curve to the right having a radius of 1,506.00 feet, a central angle of $05^{\circ} 12' 32''$, and a chord which bears North $03^{\circ} 37' 38''$ West, 136.86 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner;

Thence, North $01^{\circ} 01' 22''$ West, 591.46 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner, the beginning of a curve;

Thence, 84.82 feet along the arc of said curve to the right having a radius of 520.00 feet, a central angle of $09^{\circ} 20' 44''$, and a chord which bears North $03^{\circ} 39' 00''$ East, 84.72 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner;

Thence, North $08^{\circ} 32' 55''$ East, 193.18 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" previously set for corner on the south line of aforementioned 19.87 acre tract and the existing south right-of-way line of aforementioned F.M. 1488, the beginning of a curve;

Thence, easterly along the south line of said 19.87 acre tract and existing south right-of-way line of said F.M. 1488, the following three (3) courses:

1. 93.80 feet along the arc of said curve to the left having a radius of 2,968.79 feet, a central angle of $01^{\circ} 48' 37''$, and a chord which bears South $81^{\circ} 43' 47''$ East, 93.80 feet to a TxDOT aluminum disc found for, the beginning of a compound curve;
2. 571.98 feet along the arc of said curve to the left having a radius of 3,156.48 feet, a central angle of $10^{\circ} 22' 57''$, and a chord which bears South $87^{\circ} 49' 34''$ East, 571.20 feet to a 5/8-inch iron rod found for corner;
3. North $86^{\circ} 58' 58''$ East, 6.31 feet to the POINT OF BEGINNING and containing 18.485 acres (805,198 square feet) of land.

This description was prepared from a survey dated June 06, 2014.

{W0625889.2}

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ARTICLE IX. VARIANCE PROCEDURES

Sec. 82-321. Authority to grant a variance.

The city council may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In authorizing a variance, the city council shall prescribe only conditions that it deems necessary or desirable to the public interest. In making the finding required by this article, the city council shall take into account the nature of the proposed use of the land involved and existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision and the probable effect of such variances upon traffic conditions, public health, safety, and welfare of citizens in the vicinity. (Ordinance 2007-106, sec. 12.1, adopted 3/20/07)

Sec. 82-322. Requirements to grant a variance.

No variance shall be granted unless:

- (1) There are circumstances or conditions affecting the land involved such that strict application of this chapter would deprive the applicant of reasonable use of his land;
- (2) The granting of the variance will not be detrimental to the public health, safety, welfare or injurious to other property in the area; and
- (3) The granting of the variance will not have the effect of preventing an orderly subdivision of other land in the area in accordance with the provisions of this chapter.

(Ordinance 2007-106, sec. 12.2, adopted 3/20/07)

205. Lots.

- a. General - The lot design should provide for lots of adequate width, depth, and shape to provide open area, to eliminate overcrowding, and to be appropriate for the location of the subdivision and for the type of development and use contemplated. Lots should have the side lot lines at right angles to the streets on which the lot faces of radial to curves street lines.
- b. Rear and Side Driveway Access - Rear and side driveway access to major thoroughfare or freeways shall be prohibited.
- c. Minimum Requirements for Residential Lots
 - (1) Minimum width at building setback lines - sixty feet (60). (At a distance not greater than twenty-five feet (25') from the front lot line.)
 - (2) Minimum width at front lot line - forty feet (40').
 - (3) Minimum area of lots within city limits - five thousand four hundred (5,400) square feet.
 - (4) Corner lots siding on minor streets shall have a minimum width at the building setback line of not less than seventy feet (70').
 - (5) Corner lots siding on major thoroughfare or freeway shall have a minimum width at the building setback line of not less than seventy-five feet (75').
 - (6) Minimum length of lots shall be ninety feet (90') except lots facing or backing on a major thoroughfare or freeway shall be not less than one hundred twenty feet (120') deep.
- d. The foundation must be designed for the soil characteristics and wind loads prevalent to the individual site.
- e. The foundation must be of poured concrete or brick and consist of a retainer wall around the perimeter of the unit which would completely enclose the area beneath that unit, with exceptions of manways. These manways will have a door which can be kept closed when not in use.
- f. The unit must provide for on property, asphalt or concrete paving that will accommodate the parking [of] two (2) vehicles side by side.
- g. Lots, blocks and building lines are to be the same as single-family detached.

(Ordinance 2007-106, App. A, adopted 3/20/07)

<https://z2.franklinlegal.net/franklin/Z2Browser2.html?showset=magnoliaset>



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

NOTE: Texas Local Government Code Sec. 262.031 "CHANGES IN PLANS AND SPECIFICATIONS" regulations apply. Generally, a cumulative increase in the contract price in excess of 25% or a cumulative decrease in excess of 18% are disallowed.

Subrecipient: City of Magnolia, Texas	GLO Contract Number: 19-076-015-B364	Date: May 12, 2022
Engineer Name Address & Phone Number:	Subrecipient Name, Address, & Phone Number:	Contractor Name, Address & Phone Number:
Zach Simpson, P.E. Strand Associates, Inc.® 1906 Niebuhr Street, Brenham, TX (979) 836-7937	Don Doering, City Administrator City of Magnolia 18110 Buddy Riley Boulevard, Magnolia, TX (281) 356-2266	Fred Hajjar, Project Manager Ballast Point Construction 5361 Highway Boulevard, Katy, TX (832) 582-0473
Project #: 3919.120	Bid Package #: 1-2020R	Change Order #: 2
Contract Origination Date: January 14, 2022		Project Description: GLO CDBG-DR Nichols Sawmill Sewer-Phase 2 Rebid

You are hereby requested to comply with the following changes from the contract plans and specifications.

Item No.	Description of Changes: Quantities, Units, Unit Prices, and Change in Completion Schedule.	Decrease in Contract Price	Increase in Contract Price
3	24-IN ASTM F-679 SDR 26 Sanitary Sewer w/ Tracer Wire by Open Cut, 14- to 16- FT.		\$ 10,360.00
11	Abandon Existing Sanitary MH.	\$ 3,000.00	
12	Abandon Existing Sanitary Sewer.	\$ 5,400.00	
14	Furnish and Install 2-IN Asphalt Driveway Pavement, Including 8-IN Flexible Base.	\$ 24,120.00	
15	Furnish and Intall 4-IN Asphalt Pavement, Including 12-IN Flexible Base.	\$ 139,840.00	
21	Perform Testing on Previously Installed Sanitary Sewer Infrastructure as Identified.	\$ 5,685.00	
22	Cash Allowance: Provide 1-Year Warranty on Perviously Installed Sanitary Sewer Infrastructure Identified in the Drawings and Make Reparis as Authorized.	\$ 26,000.00	
33	Remove Sanitary Sewer MH 1.33 (Credit).	\$ 8,970.00	
34	Repair Existing Sanitary Sewer Line Near New Doghouse MH.		\$ 2,920.00
35	Additional Bore and Steel Casing Length Under Nichols Sawmill and Commerce Intersection.		\$ 9,996.00
36	Install Plug on New 24-IN Sanitary Sewer Line.		\$ 2,146.00
37	Excavate an Additional 2-IN of Depth Relative to the Drawings.		\$ 20,310.75
38	Remove and Reinstall Existing Storm Sewer Culverts.		\$ 200.00
39	Excavate and Haul-off Backfilled MATERIAL from 24-IN Extension of Commerce Street and Replace with Cement Stabilized Sand.		\$ 213,040.00
40	Install 8-IN Sanitary Sewer Leads to Methodist Church and Celeste's Home		\$ 7,400.00
41	Install 8-IN Sanitary Sewer Lead to Tressie's.		\$ 2,000.00
42	Asphalt Paving of Disturbed Areas on Commerce Street		\$ 56,208.00
43	Light Cleaning and Post Installation TV Inspection of 8-IN Sewer Line and Sections of the 24-IN Sewer Line		\$ 1,680.00
44	As-Built Elevations and Flowlines		\$ 6,440.00

See sheet 2 to add additional entries

Change in Construction Contract Price

Original Contract Price:	\$ 492,575.75
Cumulative Previous Change Order(s) Total:	\$ 3,317.00
Contract Price Prior to this Change Order:	\$ 495,892.75
Net Increase/Decrease of this Change Order:	\$ 119,685.75

Change in Contract Time (Calendar Days)

Original Contract Time in Days:	64
Net Change from Previous Change Order(s) in Days	0
Contract Time Prior to this Change Order in Days	64
Net Increase/Decrease of this Change Order in Days:	196



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

Contract Price with All Approved Change Orders:	\$ 615,578.50	Contract Time with All Approved Change Orders in Days:	196
Cumulative Percent Change in Contract Price (+/-)	24.9713%	Subrecipient Contract End Date:	December 30, 2022
Construction Contract Start Date:	1/14/22	Construction Contract End Date:	September 30, 2022

Reimbursements of costs included in this change order are subject to review by GLO-CDR.

***This document may be executed prior to submission for GLO-CDR review, but all parties involved will be held responsible if the change order or amendment warranted as a result of this change order is not in compliance with CDBG or HUD Requirements**

Subrecipient Signature	Engineer Signature	Contractor Signature
Don Doering, City Administrator	Mark Rudolph, on behalf of Zach Simpson, P.E.	Fred Hajjar, Project Manager
Subrecipient Name and Title (Printed)	Engineer Name and Title (Printed)	Contractor Name and Title (Printed)

Subrecipient Signature	Engineer Signature	Contractor Signature
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Justification for Change Order

1. Will this change order increase or decrease the number of beneficiaries?

☐ Increase ☐ Decrease ☒ No Change

If there is a change, how many beneficiaries will be affected?

Total LMI

2. Effect of this change on the scope of work:

☐ Increase ☐ Decrease ☒ No Change

3. Effect on operation and maintenance costs:

☐ Increase ☐ Decrease ☒ No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid?

☐ Yes ☒ No

If "no", explain:

This change order includes reconciliation of various bid quantities, a revision in testing services allowed, and other requests made by the Subrecipient and Contractor.

5. Has the change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction?

☐ Yes ☒ No

If "yes", is an environmental assessment required?



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

- | | | | | |
|--|-------------------------------------|-----|--------------------------|----|
| 6. Is the Texas Council on Environmental Quality (TCEQ) clearance still valid (if applicable)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 7. Is the CCN permit still valid? (<i>sewer projects only</i>) | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 8. Are the disability access requirements/approval still valid (if applicable)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 9. Are other Disaster Recovery contractual special condition clearances still valid? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

If "no", explain:

Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.

CITY OF MAGNOLIA

Financial Policies and Procedures

INTRODUCTION

The purpose of financial management policies is to provide sound guidelines for planning the City's financial future. The City of Magnolia considers the expenditure of funds to be an important responsibility and requires all persons involved with the purchase of goods or services to exercise good judgment in spending taxpayers' money.

SCOPE OF AUTHORITY

The Mayor and City Council are responsible for the expenditure of all City funds.

FINANCIALS

A. Bank Depository

The City maintains funds in a Bank, designated as its depository for banking services. The City Council reviews the selection every two years unless circumstances deem otherwise.

B. Accounts Payable

Six (6) individuals are authorized to sign checks written on the bank depository account: Mayor and City Council Members. All checks require two (2) authorized signatures. No exceptions.

C. Accounting

The City Finance Director is responsible for establishing the structure for the City Chart of Accounts and for assuring that procedures are in place to properly record financial transactions and report to the City Council. The Finance Director shall provide financial reports to the Mayor, City Council, and City Administrator monthly.

D. Audit of Accounts

An independent audit of the city accounts is performed annually. The Auditor is retained by and is accountable directly to the Mayor and the City Council. The City Council reviews the selection every five years unless circumstances deem otherwise.

E. Internal Controls

Whenever possible, written procedures will be established, maintained, and assessed per 2 CFR 200.303 by the City Administrator and Finance Director for all functions involving cash handling and/or accounting throughout the City. These procedures will embrace the general concepts of fiscal responsibility set forth in this policy statement.

Whenever possible, the City ensures duties and responsibilities are segregated so that no one individual has complete authority over a financial transaction.

PROCEDURES

1. Input Invoice into Record Keeping System – All invoices are entered into the City's computer account payable program. Either as "accounts payable" - with computer checks issued; or as "prepaid checks" – for manually written checks. All checks and invoices are accounted for and summarized in the monthly financial statement. Also – manual paper books are kept and audited annually along with the computer records – as backup documents.
2. Review of Invoice – The Finance Department and the City Administrator review invoices and code the line-item expenses per department on the invoice and/or check stub, and prepares the check for the invoices, to be reviewed and signed by the Mayor or Mayor Pro-Tem,

3. Allowability of Costs – The Finance Department will review each invoice for allowability of costs as stated in 2 CFR 200 Subpart E - Cost Principles.
4. Timeline for Payment – All payments are issued as soon as possible - within 30 days.
5. Issue Payment – The Finance Director or alternate writes the checks. All checks require two (2) signatures. Authorized signatories are the Mayor and City Council Members. All checks - computer or manual - are approved by the City Council - either as agenda item "payment of the bills" or agenda item "approve the monthly financial statement".
6. Payment Reconciliation – The Finance Department reconciles all bank accounts for the City of Magnolia.
7. Record Keeping – The Finance Department maintains all records for the City of Magnolia per state retention schedule.

PROCEDURES FOR GRANT PAYMENTS

1. Invoice is received and, if necessary, a request for payment is prepared by the grant consultant and proper signatures obtained from Mayor, City Administrator, City Secretary, or Finance Director as authorized in the most updated grant signatory form. The Finance Department reviews the invoice and compares it to the grant budget.
2. Invoice must be approved by a City Administrator, Finance Director, or the Mayor. Approval is acknowledged by initialing the original invoice or through Council action.
3. Once grant funds are received and invoice approval acknowledged by signature on the original invoice, a demand check is entered into the system by the Finance Department, then printed and disbursed by the Finance Department. All checks require two (2) signatures. Authorized signatories are the Mayor and City Council Members. The two (2) signatures appear on the approved checks. Checks are then disbursed to the appropriate vendors. The Finance Director is responsible for ensuring that checks are signed and disbursed within five (5) calendar days for the Texas Department of Agriculture and three (3) calendar days for the Texas General Land Office of receiving grant funds.
4. Copies of the request for payment, invoice, canceled check copy, and bank statement showing receipt of grant money are retained in the grant file in the Finance Department.

The Finance Department is responsible for reconciling the monthly bank statements.

CASH MANAGEMENT AND DISBURSEMENT - TIMELY EXPENDITURES

The City shall make timely payments to vendors and minimize the time between transferring funds from the State Treasury and disbursement of funds to vendors in compliance with the terms and conditions of the federal contract, grant, regulation, or statute.

To ensure vendor compliance, invoices/pay applications/pay estimates will be reviewed for accuracy for such items but not limited to change order approvals, outstanding lien/payments to subcontractors, labor standards, and verification of work completed as invoiced prior to disbursement or request for funds from State Agency. The City shall notify a vendor of an error in an invoice submitted for payment by the vendor.

ADVANCE PAYMENT PROCEDURES

All advanced payments using federal grant funds will be disbursed within five (5) business days from the date of the transfer of funds in accordance with 2 CFR 200.305(b), and in accordance with the provisions in the contract with the vendor.

Advance payments of federal grant funds will be deposited and maintained in a separate insured account. The City will maintain advance payments of federal awards in interest-bearing accounts unless one or more of the following apply: City receives less than \$120,000 in Federal awards per year; the City is not expected to earn interest in excess of \$500 per year on Federal cash balances, or the depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources. (2 CFR 200.302(b)(6) and 200.305).

INTEREST EARNED PROCEDURES

The City will verify interest earned remains under \$500 per fiscal year by tracking interest earned on each grant deposit in the grant ledger; if interest does exceed \$500 per fiscal year the City will remit interest earned to the Department of Health and Human Services per 2 CFR 200.305.

These Policies and Procedures are implemented across the City of Magnolia administrative team of:

Mayor of the City of Magnolia
City Administrator
Finance Director
City Secretary
Public Works Director
City Attorney
Director of Economic Development
City Engineer
Municipal Clerk
City Council Member No.1
City Council Member No.2
City Council Member No. 3
City Council Member No. 4
City Council Member No. 5

PASSED AND APPROVED ON THE 12 DAY OF JULY 2022

ATTEST:

Todd Kana, Mayor of the City of Magnolia

Don Doering, City Administrator

CITY OF MAGNOLIA

PROCUREMENT POLICIES AND PROCEDURES

The City of Magnolia follows the procurement standards in 2 CFR 200.317 – 2CFR 200.327 and Appendix II to Part 200 for procurement actions to be funded with Federal funds. All attempts are made to adhere to these policies and procedures and updates are made as needed. The entirety of the language found in 2 CFR 200.317 – 2 CFR 200.327 may not be applicable in all instances, programs, and/or situations. This document contains the most current 2 CFR 200.317 – 2 CFR 200.327 language available at the adoption of these policies and procedures.

FEDERAL POLICY

§200.317 Procurements by states.

When procuring property and services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State will comply with §§200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by §200.327. All other non-Federal entities, including subrecipients of a State, must follow the procurement standards in §§200.318 through 200.327.

§200.318 General procurement standards.

(a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§200.317 through 200.327.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also §200.214.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(j)(1) The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

[85 FR 49543, Aug. 13, 2020, as amended at 86 FR 10440, Feb. 22, 2021]

§200.319 Competition.

(a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and §200.320.

(b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

(f) Noncompetitive procurements can only be awarded in accordance with §200.320(c).

§200.320 Methods of procurement to be followed.

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

(a) *Informal procurement methods.* When the value of the procurement for property or services under a Federal award does not exceed the *simplified acquisition threshold (SAT)*, as defined in §200.1, or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

(1) *Micro-purchases—(i) Distribution.* The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of *micro-purchase* in §200.1). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.

(ii) *Micro-purchase awards.* Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information

and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

(iii) *Micro-purchase thresholds.* The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.

(iv) *Non-Federal entity increase to the micro-purchase threshold up to \$50,000.* Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with §200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

- (A) A qualification as a low-risk auditee, in accordance with the criteria in §200.520 for the most recent audit;
- (B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,
- (C) For public institutions, a higher threshold consistent with State law.

(v) *Non-Federal entity increase to the micro-purchase threshold over \$50,000.* Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

(2) *Small purchases—(i) Small purchase procedures.* The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

(ii) *Simplified acquisition thresholds.* The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

(b) *Formal procurement methods.* When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with §200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:

(1) *Sealed bids.* A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

- (A) A complete, adequate, and realistic specification or purchase description is available;
- (B) Two or more responsible bidders are willing and able to compete effectively for the business; and

(C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(2) *Proposals*. A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

(i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;

(iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-Federal entity, with price and other factors considered; and

(iv) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms that are a potential source to perform the proposed effort.

(c) *Noncompetitive procurement*. There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

(1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);

(2) The item is available only from a single source;

(3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;

(4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or

(5) After solicitation of a number of sources, competition is determined inadequate.

§200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

§200.322 Domestic preferences for procurements.

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

(1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

§200.323 Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

§200.324 Contract cost and price.

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under subpart E of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§200.325 Federal awarding agency or pass-through entity review.

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

§200.326 Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

§200.327 Contract provisions.

The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to this part.

Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by [41 U.S.C. 1908](#), must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under [41 CFR Part 60](#), all contracts that meet the definition of “federally assisted construction contract” in [41 CFR Part 60-1.3](#) must include the equal opportunity clause provided under [41 CFR 60-1.4\(b\)](#), in accordance with [Executive Order 11246](#), “Equal Employment Opportunity” ([30 FR 12319](#), 12935, [3 CFR Part, 1964-1965 Comp.](#), p. 339), as amended by [Executive Order 11375](#), “Amending [Executive Order 11246](#) Relating to Equal Employment Opportunity,” and implementing regulations at [41 CFR part 60](#), “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) [Davis-Bacon Act](#), as amended ([40 U.S.C. 3141-3148](#)). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the [Davis-Bacon Act](#) ([40 U.S.C. 3141-3144](#), and [3146-3148](#)) as supplemented by Department of Labor regulations ([29 CFR Part 5](#), “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The

decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act ([40 U.S.C. 3145](#)), as supplemented by Department of Labor regulations ([29 CFR Part 3](#), “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act ([40 U.S.C. 3701-3708](#)). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with [40 U.S.C. 3702](#) and [3704](#), as supplemented by Department of Labor regulations ([29 CFR Part 5](#)). Under [40 U.S.C. 3702](#) of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of [40 U.S.C. 3704](#) are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under [37 CFR § 401.2](#) (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of [37 CFR Part 401](#), “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act ([42 U.S.C. 7401-7671q](#).) and the **Federal Water Pollution Control Act** ([33 U.S.C. 1251-1387](#)), as amended - Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the **Clean Air Act** ([42 U.S.C. 7401-7671q](#)) and the **Federal Water Pollution Control Act** as amended ([33 U.S.C. 1251-1387](#)). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see [2 CFR 180.220](#)) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at [2 CFR 180](#) that implement Executive Orders 12549 ([3 CFR part 1986](#) Comp., p. 189) and 12689 ([3 CFR part 1989](#) Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than [Executive Order 12549](#).

(I) Byrd Anti-Lobbying Amendment ([31 U.S.C. 1352](#)) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by [31 U.S.C. 1352](#). Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See § 200.323*

(K) See § 200.216**

(L) See § 200.322***

***§ 200.323 Procurement of recovered materials.**

A [non-Federal entity](#) that is a [state](#) agency or agency of a political subdivision of a [state](#) and its [contractors](#) must comply with section 6002 of the [Solid Waste Disposal Act](#), as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 CFR part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

****§ 200.216 Prohibition on certain telecommunications and video surveillance services or equipment.**

(a) [Recipients](#) and sub [recipients](#) are prohibited from obligating or expending [loan](#) or grant funds to:

(1) Procure or obtain;

(2) Extend or renew a [contract](#) to procure or obtain; or

(3) Enter into a [contract](#) (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in [Public Law 115-232](#), section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any [subsidiary](#) or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any [subsidiary](#) or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(b) In implementing the prohibition under [Public Law 115-232](#), section 889, subsection (f), paragraph (1), heads of executive agencies administering [loan](#), grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See [Public Law 115-232](#), section 889 for additional information.

(d) See also [§ 200.471](#).

*****§ 200.322 Domestic preferences for procurements.**

(a) As appropriate and to the extent consistent with law, the [non-Federal entity](#) should, to the greatest extent practicable under a [Federal award](#), provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United [States](#) (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all [subawards](#) including all [contracts](#) and purchase orders for work or products under this award.

(b) For purposes of this section:

(1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

IMPLEMENTATION PROCEDURES

Procurement Cycle Steps

Need Defined—The City of Magnolia department overseen by City Administrator submits request and specifications. Purchaser reviews request and specifications for unnecessary or duplicative items in accordance with 2 CFR 200.318 (d).

Procurement Method Selected—Based on type and estimated cost of good/service as well as purchasing authority, purchaser determines the procurement method that will result in a best value acquisition for the City.

1. All procurement transactions will be conducted in a manner providing full and open competition.
 - a. No unreasonable requirements are placed on firms in order for them to qualify.
 - b. No unnecessary experience or excessive bonding required.
 - c. Noncompetitive pricing practices between firms or between affiliated companies is disallowed.
 - d. Noncompetitive contracts are disallowed except for when there is an approved exception
 - e. No organizational conflicts of interest
 - f. If a “brand name” product is specified, an equal or like product is acceptable.
 - g. A vendor that intends to respond to the Request for Proposals, Request for Qualifications and/or Invitation for Bid may not participate in the development or drafting of specifications, requirements, statements of work, or invitations for bids or requests for proposals, including, but not limited to, the development of the scoring criteria, the final selection of firms to be contacted, or the scoring of proposals.
2. All procurement transactions shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured.
3. All procurement transactions will include review potential for entering into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services to foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government
4. All procurement transactions will include review potential for the use of Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
5. All procurement transactions will include review the use of value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions
6. All procurement transactions will include reviewing the manner for determining that no other contract other than time and materials type contract is suitable, and include a price ceiling that if exceeded, the contractor exceeds at their own risk.
7. All procurement transactions will consider the responsibility, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims.
8. All procurement transactions shall identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
9. If the City uses a prequalified list when acquiring goods or services, the City of Magnolia will ensure the list is updated regularly, provides enough qualified sources to ensure maximum open and free competition.

10. All procurement transactions must conform to applicable local, state, and federal laws and regulations.

Contract Cost and Price - A cost or price analysis must be conducted in connection with every procurement action more than the federal Simplified Acquisition Threshold including contract modifications (2 CFR 200.323).

The simplified acquisition threshold for federal procurement actions is currently set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. 1908 as \$150,000, but this threshold is periodically adjusted for inflation. 2 C.F.R. §200.88

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, an independent estimate must be made before receiving bids or proposals. 2 C.F.R. § 200.323(a).

Cost analysis is the evaluation of the separate elements (e.g., labor, materials, etc.) that make up a contractor's total cost proposal or price (for both new contracts and modifications) to determine if they are allowable, directly related to the requirement and ultimately, reasonable.

Price analysis is essentially price comparison. It is the evaluation of a proposed price (i.e., lump sum) without analyzing any of the separate cost elements of which it is composed.

Solicitation— The City of Magnolia purchasing authority or designated individuals create the appropriate solicitation document, with terms and conditions and evaluation criteria clearly defined, and notifies vendor sources for an informal or formal bid process.

Those closely involved in the establishment of the written selection criteria and selection shall have no potential conflicts of interest with any of the individuals, firms, or agencies under review (e.g., family relationships, close friendships, business dealings). Any person who might potentially receive benefits from grant-assisted activities may not participate in the decision-making process. Nepotism and conflict of interest regulations can be found in the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, and 2 CFR 200.318(c)(1).

Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:

- a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

Receipt of Bids and Responses to Solicitation—Vendors submit their response to the solicitation.

Evaluation and Awards— The City of Magnolia Selection Team reviews the responses from vendors, determines compliance with the solicitation and makes an award recommendation based on the pre-defined best value criteria.

Negotiation of Profit - Federal Guidelines require negotiations of profit as a separate element of the price for each contract and modification in which there is no price competition and, in all cases, where cost analysis must be performed. 2 C.F.R. § 200.323(b)

Contracting - - The City of Magnolia department overseen by the City Administrator ensures all vendor contracts conform to Federal and State requirements including incorporating Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. Contracts will also identify the responsibility, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims.

Contract Oversight – The City of Magnolia department overseen by the Public Works Director ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders based on the scope of work defined in the Solicitation when reviewing deliverables from the contractors.

Record Documentation – The City of Magnolia department overseen by City Secretary will maintain records documenting the history of procurement. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

METHODS OF PROCUREMENT

The City of Magnolia will use one of the following five methods of procurement described at 2 CFR Section 200.320: (1) procurement by micro-purchases, (2) procurement by small purchase procedures, (3) procurement by sealed bids, (4) procurement by competitive proposals, or (5) procurement by noncompetitive proposals.

1. Simplified Acquisition Procedures for Purchases Below Micro-Purchase Threshold

For purposes of this section, the micro-purchase threshold is \$3,000.

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (\$200.67 Micro-purchase). To the extent practicable, the City of Magnolia must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

2. Small Purchase

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that cost less than the lesser of the Federal Simplified Acquisition Threshold or the \$50,000 threshold defined in state law (Local Government Code §262.003 for counties and

\$252,021 for municipalities. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

For service contracts that are under the small purchase threshold and do not fall under professional services as defined in Section 2254.002(2) of Local Government Code, the City of Magnolia may receive quotes and award the contract to any reasonable and responsible bidder. The local governing body has the final authority to award contracts.

3. Construction and Materials Contracts

In order for sealed bidding to be feasible, the following conditions should be present:

- a. A complete, adequate, and realistic specification or purchase description is available;
- b. Two or more responsible bidders are willing and able to compete effectively for the business; and
- c. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- a. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;
- b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
- c. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
- d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
- e. Any or all bids may be rejected if there is a sound documented reason.

4. Professional Services Contracts

This method is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- b. Proposals must be solicited from an adequate number of qualified sources;
- c. The City of Magnolia must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
- d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
- e. The City of Magnolia may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

5. Noncompetitive Proposals

This method may be used only when one or more of the following circumstances apply:

- a. The item is available only from a single source;
- b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request; or
- d. After solicitation of a number of sources, competition is determined inadequate.

These Policies and Procedures are implemented through of the City of Magnolia's administrative team of:

Mayor of the City of Magnolia
City Administrator
Finance Director
City Secretary
Public Works Director
City Attorney
Director of Economic Development
City Engineer
Municipal Clerk
City Council Member No.1
City Council Member No.2
City Council Member No. 3
City Council Member No. 4
City Council Member No. 5

PASSED AND APPROVED ON THE 12th DAY OF JULY, 2022.

ATTEST:

Todd Kana, Mayor of the City of Magnolia

Don Doering, City Administrator

RESOLUTION NO. R-2022-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA COMMITTING LOCAL FUNDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROJECT WITH THE GENERAL LAND OFFICE (GLO), STATE CONTRACT NO. 19-076-015-B364.

WHEREAS, the City Council of the City of Magnolia desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist related to the damages to the City's sewer systems that occurred during the 2016 Flood Disaster, which represent a threat to public health and safety; and

WHEREAS, it is necessary to include local funds in order to complete the scope of work for the sewer improvements in the project area – Nichols Sawmill Phase No. 2.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA:

1. That the City commits up to \$149,331.54 from its General Fund towards the construction cost of the Sewer Improvement project – Nichols Sawmill Phase No. 2 for the CDBG-DR Contract No. 19-076-015-B364.
2. That the local funds committed to the CDBG-DR grant will be used in accordance with all applicable federal, state, local and programmatic requirements, including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

PASSED AND ADOPTED this 12th day of July, 2022.



Todd Kana, Mayor

Attest:

Kandice Garrett, City Secretary



RE: Change Order No. 1
DATE: June 14, 2022
NAME OF PROJECT: Water Plant No. 3 Clearing and Grubbing
OWNER: City of Magnolia
CONTRACTOR: LG & G Construction
AEI JOB No.: 211009.60

The amount of this Change Order represents full compensation for all costs and damages, direct or indirect, arising out of or in any way related to the work to be performed hereunder, including but not limited to all costs and damages due to delays, impacts, acceleration, disruption, interference, overheads (field and home office), loss of efficiency, loss of production, overtime or other costs and damages of whatever kind or nature relating to this Change Order and all other changes made to the work of the contract being modified hereby.

The following changes are hereby made to the CONTRACT DOCUMENTS:

Add approximately 265 additional linear feet of filter fabric fence along the northwestern property lines. The proposed change is a lump sum amount and increases the contract amount by \$964.51.

Justification:

An additional 265 linear feet of filter fabric fence is needed to provide protection along the property lines between Audubon and the limits of the proposed clearing and grubbing.

Current CONTRACT PRICE: \$ 51,450.00

Current CONTRACT PRICE due to this CHANGE ORDER will be increased by:
\$ 964.51

The new CONTRACT PRICE including this CHANGE ORDER will be:
\$ 52,414.51

Change to CONTRACT TIME:

The CONTRACT TIME will be increased by Zero (0)
calendar days.

The date for completion of all WORK will be July 6, 2022



Recommended By:

A blue ink signature, likely of a professional engineer, written over a horizontal line.

ENGINEER

AEI Engineering, a Baxter & Woodman Company
TBPELS Registration No. F-21783

Accepted By:

A black ink signature, likely of a contractor, written over a horizontal line.

CONTRACTOR

Authorized By:

OWNER

**CITY OF MAGNOLIA
CITY LIMITS AND ETJ BOUNDARY MAP UPDATE AND ZONING MAP UPDATE
WORK ORDER 22-007**

Engineer's Project No. 221437.90

Project Description:

The Project consists of creating a boundary map of the city limits and ETJ limits. Zoning information will be included on the map.

Engineering Services:

AEI Engineering, a Baxter & Woodman Company (AEI) will perform engineering services for the map update.

A detailed scope of services for this Project is listed in Attachment A of this Work Order.

Compensation:

Compensation for the services to be provided under this Work Order will be in accordance with the Engineering Services Agreement dated September 14, 2021, and Attachment A to this Work Order. The Engineer's fee shall be not-to-exceed \$45,700.00.

Submitted by: **AEI Engineering, a Baxter & Woodman Company**

By: _____

Michael A. Kurzy, PE

Title: Vice President

Date: July 5, 2022

Approved by: **City of Magnolia**

By: _____

Todd Kana

Title: Mayor

Date: July 12, 2022

Additional Comments and Conditions: None.

Project Description

The Project consists of creating a boundary map of the city limits and ETJ limits. Zoning information will be included on the map.

Scope of Services

The following scope of services details the anticipated tasks necessary to successfully complete this Project:

1. Preparation of City of Magnolia city and ETJ limits map based on annexation ordinances received from the City of Magnolia. This shall be done for a lump sum cost of \$28,927.50. The deliverable will be in AutoCAD format.
2. Include zoning information on the updated map using the City's GIS zoning information through 2018 and using zoning ordinances provided by the City from 2018 to present. This shall be done at a lump sum cost of \$6,772.50.
3. AEI shall provide information from the City to the surveyor, convert existing GIS zoning information and provide to the surveyor, coordinate with surveyor and answer any questions, and review submitted work for a not-to-exceed amount of \$10,000.00.

This information is public record.
Public Service Opportunities are offered by the City of Magnolia without regard to race, color, national origin, religion, sex, or disability.

For Office Use Only Date Received: <u>2/28/22</u>
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City of Magnolia Application for Boards, Commissions and Committees

INSTRUCTIONS: If applying for more than one position, please indicate the order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 your 1st choice, #3 your last choice). If a board has more than five applicants per opening, interviews will only be granted to those who have chosen that board as their first choice. Please note that choosing more than one board increases the chances of being appointed.

<p><input checked="" type="checkbox"/> 4A Economic Development Corporation The 4A EDC is charged with promoting economic development and advising the City Council in regard to incentives for the development of industrial and commercial districts. *Five members *Meets monthly: 2nd Thursday at 4:00 p.m.</p>	<p><input checked="" type="checkbox"/> 4B Community Development Corporation In addition to promoting economic development, 4B CDC strives to improve the quality of life in Magnolia by assisting and funding a variety of projects. *Seven members *Meets monthly: 2nd Thursday at 5:30 p.m.</p>
<p><input type="checkbox"/> Planning & Zoning Commission The P&Z Commission's primary responsibility is to make recommendations to Council regarding a master plan, city planning, land use issues, such as zoning and subdivision plat requests. *Seven members *Meets the third Thursday at 4:30 p.m.</p>	<p><input type="checkbox"/> Board of Adjustment This board interprets and modifies zoning regulations in specific cases as circumstances require and has the authority to grant relief to the enforcement of provisions of the Zoning Ordinance on a case-by-case basis. *Five members, two alternates. *Meets as needed.</p>

- Some boards permit non-city residents (must be Montgomery County resident).
- Candidates cannot have been convicted of a felony or a misdemeanor crime of moral turpitude for which he/she has not been pardoned within the last ten (10) years.
- Candidates cannot have been removed from a board or commission because of failure to attend meetings within the last three (3) years.

If asked to serve on a different board than you indicated, would you be interested? ☒ YES ☐ NO
Would you be interested in serving on any Ad Hoc Committee that may arise during the year? ☒ YES ☐ NO

PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION CLEARLY IN BLACK INK ONLY

☐ Ms.
☐ Mrs.
☒ Mr. Hook Andrew K
Last Name First Name MI

14876 Prickly Pear Cove Magnolia 77354 (832) 242-3900
Home Address City Zip Code Home or Mobile Phone

419 Commerce Magnolia 77354 (281) 356-6647
Business Address City Zip Code Business Phone

pastorandrew.mumc@gmail.com
Email Address

Resident of City for 3 years. Registered to vote in City of Magnolia? ☒ YES ☐ NO
Are you a business owner/operator/employee in the City of Magnolia? ☒ YES ☐ NO
Resident of Montgomery County? ☒ YES ☐ NO
Have you ever served as a member of any Magnolia boards/commissions/committees? ☐ YES ☒ NO
If YES, specify which one (s) and approximate dates of service.

List any civic or community activities in which you have been involved:

S.O.S BOARD, PASTOR of MAGNOLIA UNITED METHODIST CHURCH

So the Council may know more about you, please complete the following:

Education: B.A. HISTORY & POLITICAL SCIENCE TEXAS A&M, M.Div DUKE UNIVERSITY

Related experience/community service: PASTOR of MUMC 3 YEARS, 9 YEARS TOTAL PASTORAL EXP.

Areas of interests related to this committee: PARKS, RECREATION, COMMUTER ACCESS FOR QUALITY OF LIFE AND COMMUNITY DEVELOPMENT ARE of HIGH IMPORTANCE TO ME.

Please specify membership on any other governmental board/commission/committee:
N/A.

Please provide a brief narrative outline on your reasons for seeking appointment to this board/commission/committee:

MAKING MAGNOLIA A PLACE WHERE FAMILIES AND INDIVIDUALS WANT TO LIVE AND BE A PART of IS IMPORTANT TO ME. AS MAGNOLIA RAPIDLY GROWS, PROVIDING THE AMENITIES FOR A QUALITY LIFE AND TO CREATE COMMUNITY IS A PRIORITY.

This application is the only information considered for appointments by the City Council. Please do not send resumes, business cards, photographs, or letters of recommendation.

Please call Kandice Garrett at (281) 305-0550 for more information about the City's boards, commissions, and committees.

NOTE: APPLICATION MUST BE SIGNED BELOW BY THE APPLICANT

Statement of Intent:

"If appointed, I agree to serve on the board/commission/committee for which I have applied. I do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment as a reward to secure my appointment or confirmation, so help me God."

Date: 28 FEB 2022

Signature: 

Return in person, by mail or email to: City of Magnolia
Attn: City Secretary
18111 Buddy Riley Blvd.
Magnolia, TX 77354

kgarrett@cityofmagnolia.com

This information is public record.
Public Service Opportunities are offered by the City of Magnolia without regard to race, color, national origin, religion, sex, or disability.

For Office Use Only Date Received: <u>5/3/22</u>

City of Magnolia Application for Boards, Commissions and Committees

INSTRUCTIONS: If applying for more than one position, please indicate the order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 your 1st choice, #3 your last choice). If a board has more than five applicants per opening, interviews will only be granted to those who have chosen that board as their first choice. Please note that choosing more than one board increases the chances of being appointed.

<input type="checkbox"/> 4A Economic Development Corporation The 4A EDC is charged with promoting economic development and advising the City Council in regard to incentives for the development of industrial and commercial districts. *Five members commission *Meets quarterly on the 2 nd Thursday at 5:30 p.m.	<input checked="" type="checkbox"/> 4B Community Development Corporation In addition to promoting economic development, 4B CDC strives to improve the quality of life in Magnolia by assisting and funding a variety of projects. *Seven members *Meets second Tuesday at 4:30 p.m.
<input type="checkbox"/> Planning & Zoning Commission The P&Z Commission's primary responsibility is to make recommendations to Council regarding a master plan, city planning, land use issues, such as zoning and subdivision plat requests. *Seven members *Meets the third Thursday at 4:30 p.m.	<input type="checkbox"/> Board of Adjustment This board interprets and modifies zoning regulations in specific cases as circumstances require and has the authority to grant relief to the enforcement of provisions of the Zoning Ordinance on a case-by-case basis. *Five members, two alternates. *Meets as needed.

- Some boards permit non-city residents (must be Montgomery County resident).
- Candidates cannot have been convicted of a felony or a misdemeanor crime of moral turpitude for which he/she has not been pardoned within the last ten (10) years.
- Candidates cannot have been removed from a board or commission because of failure to attend meetings within the last three (3) years.

If asked to serve on a different board than you indicated, would you be interested? ☒ YES ☐ NO
 Would you be interested in serving on any Ad Hoc Committee that may arise during the year? ☒ YES ☐ NO

PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION CLEARLY IN BLACK INK ONLY

☐ Ms.

☐ Mrs.

☒ Mr.

SIMS BRETT A.
 Last Name First Name MI

34234 SANDERS RANCH MAGNOLIA 77355 (936) 714-7237
 Home Address City Zip Code Home or Mobile Phone

19010 FM 1488 MAGNOLIA 77355 (936) 714-7237
 Business Address City Zip Code Business Phone

BRETT @ SOLD-ITREALTY.COM
 Email Address

Resident of City for 3 years. Registered to vote in City of Magnolia? ☐ YES ☒ NO **MOVED OUTSIDE CITY LIMITS**
 Are you a business owner/operator/employee in the City of Magnolia? ☒ YES ☐ NO
 Resident of Montgomery County? ☒ YES ☐ NO
 Have you ever served as a member of any Magnolia boards/commissions/committees? ☐ YES ☒ NO
 If YES, specify which one (s) and approximate dates of service:

N/A

List any civic or community activities in which you have been involved:

SOCIETY OF SAMARITANS, MAGNOLIA LION'S CLUB, WOODFOREST CHARITABLE FOUNDATION

So the Council may know more about you, please complete the following:

Education: UNIVERSITY OF HOUSTON DOWNTOWN (SOME COLLEGE ATTENDED)

Related experience/community

TOMBALL HIGH SCHOOL

service: I HAVE SERVED ON THE BOARD OF SOS FOR 3 YEARS SERVING ON THE JOB SERVICES COMMITTEE, AS WELL AS THE BOARD W/ A FOCUS ON COMMUNITY SUPPORT & ENGAGEMENT.

Areas of interests related to this

committee: ECONOMIC DEVELOPMENT, BUSINESS ENGAGEMENT.

ANY OTHER AREA WHERE SUPPORT IS NEEDED.

Please specify membership on any other governmental board/commission/committee:

N/A

Please provide a brief narrative outline on your reasons for seeking appointment to this board/commission/committee:

MY DESIRE TO SERVE ON LBS IS TO HELP WORK ALONG SIDE COMMUNITY LEADERS & MEMBERS TO SUPPORT ECONOMIC GROWTH, COMMUNITY ENGAGEMENT, SUPPORT & ENHANCE QUALITY OF LIFE FOR COMMUNITY MEMBERS & BUSINESS OWNERS. PROMOTE PROJECTS WITHIN THE CITY THAT FURTHER ENGAGES MEMBERS OF THE COMMUNITY.
This application is the only information considered for appointments by the City Council. Please do not send resumes, business cards, photographs, or letters of recommendation.

Please call (281) 356-2266 for more information about the City's boards, commissions, and committees.

NOTE: APPLICATION MUST BE SIGNED BELOW BY THE APPLICANT

Statement of Intent:

"If appointed, I agree to serve on the board/commission/committee for which I have applied. I do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment as a reward to secure my appointment or confirmation, so help me God."

Date: 05/03/2022

Signature: 

Return in person or by mail to: City of Magnolia
Attn: City Secretary
18111 Buddy Riley Blvd.
Magnolia, TX 77354

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For Office Use Only

Date Received: 5/17/22

City of Magnolia Application for Boards, Commissions and Committees

INSTRUCTIONS: If applying for more than one position, please indicate the order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 your 1st choice, #3 your last choice). If a board has more than five applicants per opening, interviews will only be granted to those who have chosen that board as their first choice. Please note that choosing more than one board increases the chances of being appointed.

<input checked="" type="checkbox"/> 2 4A Economic Development Corporation The 4A EDC is charged with promoting economic development and advising the City Council in regard to incentives for the development of industrial and commercial districts. *Five members commission *Meets quarterly on the 2 nd Thursday at 5:30 p.m.	<input checked="" type="checkbox"/> 1 4B Community Development Corporation In addition to promoting economic development, 4B CDC strives to improve the quality of life in Magnolia by assisting and funding a variety of projects. *Seven members *Meets second Tuesday at 4:30 p.m.
<input checked="" type="checkbox"/> 3 Planning & Zoning Commission The P&Z Commission's primary responsibility is to make recommendations to Council regarding a master plan, city planning, land use issues, such as zoning and subdivision plat requests. *Seven members *Meets the third Thursday at 4:30 p.m.	<input type="checkbox"/> Board of Adjustment This board interprets and modifies zoning regulations in specific cases as circumstances require and has the authority to grant relief to the enforcement of provisions of the Zoning Ordinance on a case-by-case basis. *Five members, two alternates. *Meets as needed.

- Some boards permit non-city residents (must be Montgomery County resident).
- Candidates cannot have been convicted of a felony or a misdemeanor crime of moral turpitude for which he/she has not been pardoned within the last ten (10) years.
- Candidates cannot have been removed from a board or commission because of failure to attend meetings within the last three (3) years.

If asked to serve on a different board than you indicated, would you be interested? ☒ YES ☐ NO
Would you be interested in serving on any Ad Hoc Committee that may arise during the year? ☒ YES ☐ NO

PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION CLEARLY IN BLACK INK ONLY

☐ Ms.

☒ Mrs.

☐ Mr.

MCDONALD KELLY A
Last Name First Name MI

10703 CLUBHOUSE CIRCLE MAGNOLIA TX 77354 (281) 899-9310
Home Address City Zip Code Home or Mobile Phone

10703 CLUBHOUSE CIRCLE MAGNOLIA TX 77354 (281) 899-9310
Business Address City Zip Code Business Phone

Kelly @ KellyforTexas.com
Email Address

Resident of City for 0 years. Registered to vote in City of Magnolia? ☐ YES ☒ NO

Are you a business owner/operator/employee in the City of Magnolia? ☐ YES ☒ NO

Resident of Montgomery County? ☒ YES ☐ NO

Have you ever served as a member of any Magnolia boards/commissions/committees? ☐ YES ☒ NO

If YES, specify which one (s) and approximate dates of service:

N/A

List any civic or community activities in which you have been involved:
Leadership Montgomery County, Montgomery County Housing Authority, Montgomery County Veterans Memorial Park Commission, Magnolia Chamber of Commerce, School Board Magnolia ISD Habitat for Humanity, Rotary Club of Magnolia
So the Council may know more about you, please complete the following:

2022
Education: Completing BAAS, Organizational Leadership Texas A&M University
Related experience/community President, Rotary Club, Board member for Habitat for Humanity, service: Served on School Board, Realtor in Magnolia, The Woodlands for 21 years, Member of Texas Economic Development Council - 2 years,
Areas of interests related to this committee: Serving the City to ensure the right businesses and opportunities come to Magnolia to serve the citizens of Magnolia in a greater way.

Please specify membership on any other governmental board/commission/committee:
Montgomery County Housing Authority, Montgomery County Veterans Memorial Park Commission, Greater Magnolia Chamber of Commerce Board.
Please provide a brief narrative outline on your reasons for seeking appointment to this board/commission/committee:

I have a great love for Magnolia. Our family has lived here for 21 years. We have raised our children here. I've been a realtor in Magnolia for 20 years and want to see the city grow successfully. I want to help the City Council in any way that I can to ensure this.
This application is the only information considered for appointments by the City Council. Please do not send resumes, business cards, photographs, or letters of recommendation.

Please call (281) 356-2266 for more information about the City's boards, commissions, and committees.

NOTE: APPLICATION MUST BE SIGNED BELOW BY THE APPLICANT

Statement of Intent:

"If appointed, I agree to serve on the board/commission/committee for which I have applied. I do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment as a reward to secure my appointment or confirmation, so help me God."

Date: May 17, 2022

Signature: 

Return in person or by mail to: City of Magnolia
Attn: City Secretary
18111 Buddy Riley Blvd.
Magnolia, TX 77354

RESOLUTION NO. R-2022-026

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MAGNOLIA, TEXAS, APPROVING THE MONTGOMERY COUNTY
EMERGENCY COMMUNICATION DISTRICT BUDGET FOR FISCAL
YEAR 2023.**

* * * * *

WHEREAS, on June 21, 2022, the Board of Managers of the Montgomery County Emergency Communications District (“MCECD”) adopted a proposed budget for the fiscal year that begins on October 1, 2022; and,

WHEREAS, the MCECD Board of Managers has submitted the proposed budget to the City of Magnolia for approval in accordance with the Emergency Telephone Act of the Texas Health and Safety Code, Section 772.309; and,

WHEREAS, to be effective the budget must be approved by the Montgomery County Commissioners Court and by a majority of the governing bodies of the participating jurisdictions; and,

WHEREAS, if the governing body of a participating jurisdiction does not approve or disapprove of MCECD’s budget before the sixty-first (61st) day after the date of receipt, the budget is approved by that participating jurisdiction by operation of law; and

WHEREAS, the budget is satisfactory as submitted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, that the Montgomery County Emergency Communication District’s budget for Fiscal Year 2023 is approved.

PASSED AND APPROVED this 12th day of July, 2022.



THE CITY OF MAGNOLIA

Todd Kana, Mayor

ATTEST:

Kandice Garrett, City Secretary

From: [Don Doering](#)
To: [Beverly Standley](#); [Kandice Garrett](#)
Subject: FW: MCECD Board Nomination
Date: Wednesday, June 15, 2022 11:27:58 AM
Attachments: [ShenandoahLogo_Signature_d191523f-4b97-47ed-99f7-9f4b771ea6d4.png](#)

From: Kathie Reyer <kreyer@shenandoahtx.us>
Sent: Wednesday, June 15, 2022 10:20 AM
To: Don Doering <ddoering@cityofmagnolia.com>
Subject: MCECD Board Nomination

Don –

I hope all is well with you. You should have received the nomination form from MCECD for the board seat that will expire in September. I would greatly appreciate your Council's consideration of me for the nomination. I have support from other cities that I've contacted, although I have not yet contacted everyone. I'm happy to answer any questions or provide information if needed.

Thanks,
Kathie



Kathie Reyer
City Administrator

City of Shenandoah
29955 Interstate 45 North
Shenandoah, Texas 77381
281.298.5522 Main
832.585.8162 Direct
www.shenandoahtx.us

Attention: This email, plus any attachments, may constitute a public record of the City of Shenandoah and may be subject to public disclosure under the Texas Public Information Act. A "reply to all" of this e-mail by Public Officials could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.



Montgomery County Emergency Communication District

**Cities of Montgomery County
9-1-1 Board of Managers Appointment
To serve the two-year term
(currently held by Richard Tramm)
October 1, 2022 – September 30, 2024**

NOMINATION FORM

Nominee: _____

Name: _____

City of _____

Date: _____

Printed Name: _____

Signature: _____

Please complete and fax to (936) 539-9111, or email to tgill@mc911.org, no later than close of business on Friday, July 22, 2022.



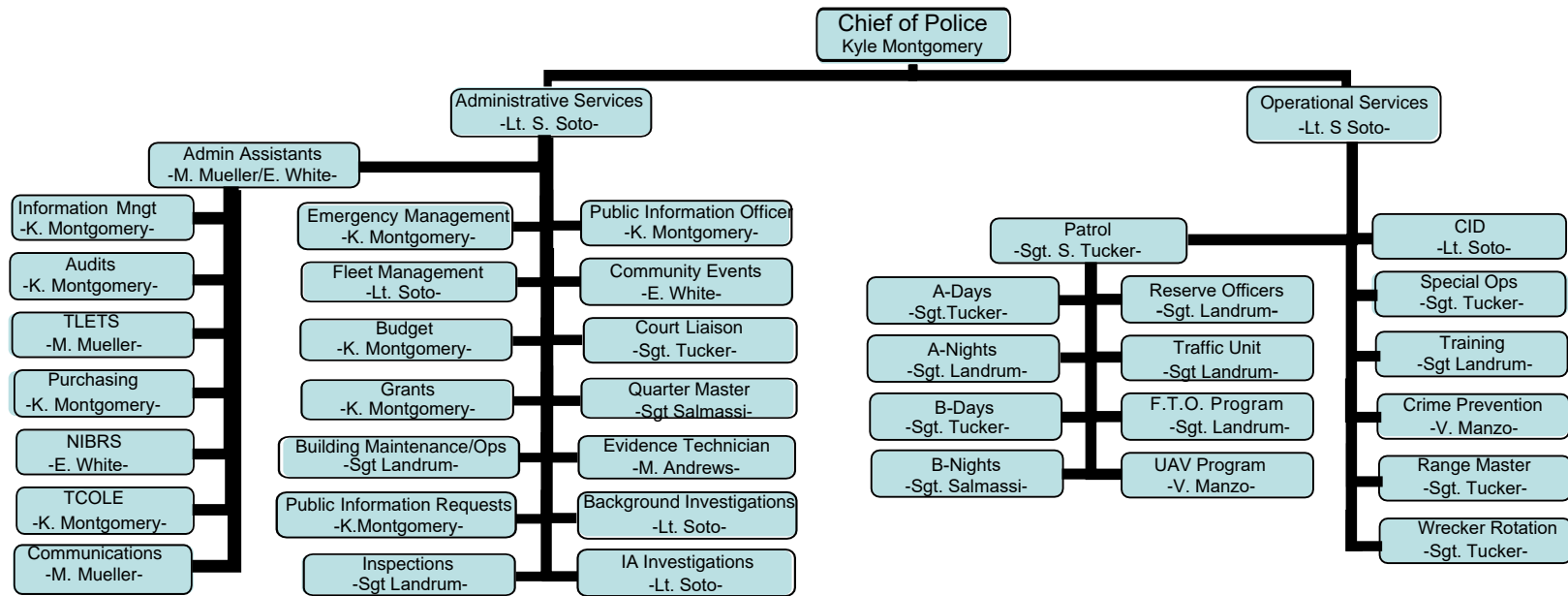
DEPARTMENT REPORT

June 2022

Prepared by:
Kyle Montgomery
Chief of Police

ADMINISTRATIVE

Organizational Chart



PATROL

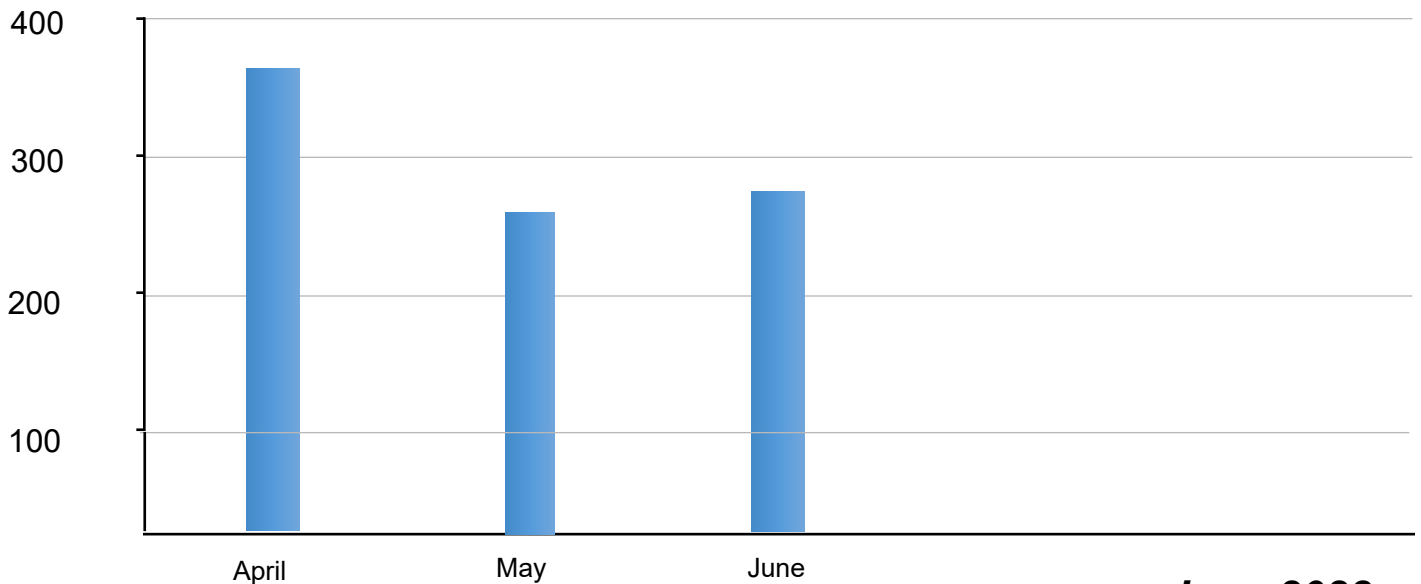
CALL BREAKDOWN

	May	June	MONTHLY CHANGE
EMERGENCY	22	19	-3
NON-EMERGENCY	244	258	+14

CALLS FOR SERVICE

	May	June	2022
Total Calls for Service	266	277	1,710

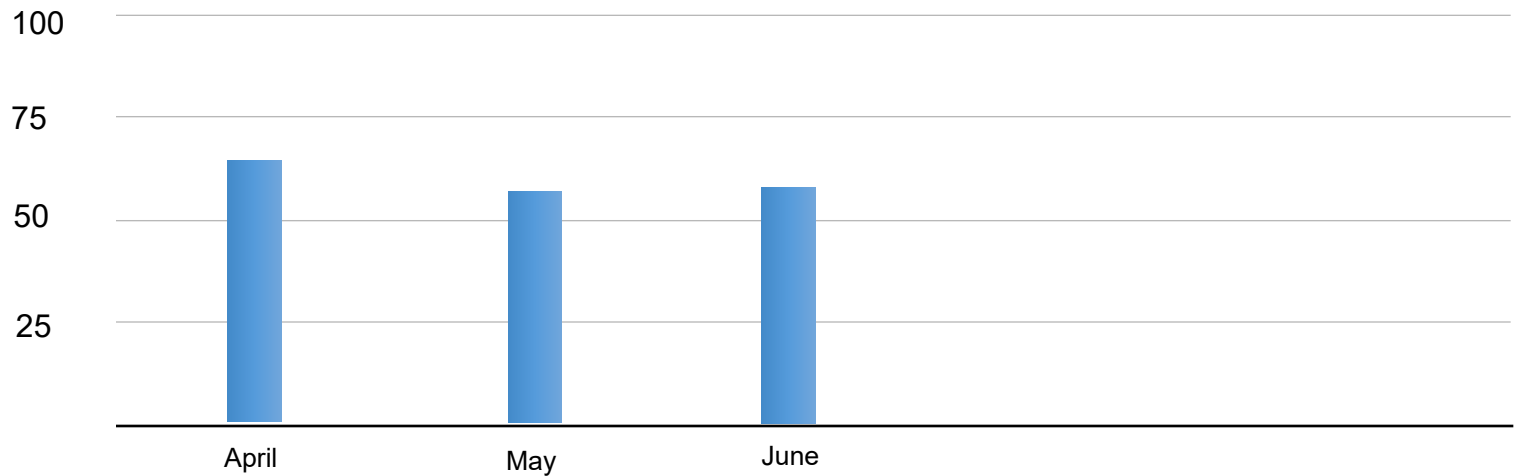
*The total calls for service include all priorities, event entries, and officer initiated calls.



June 2022

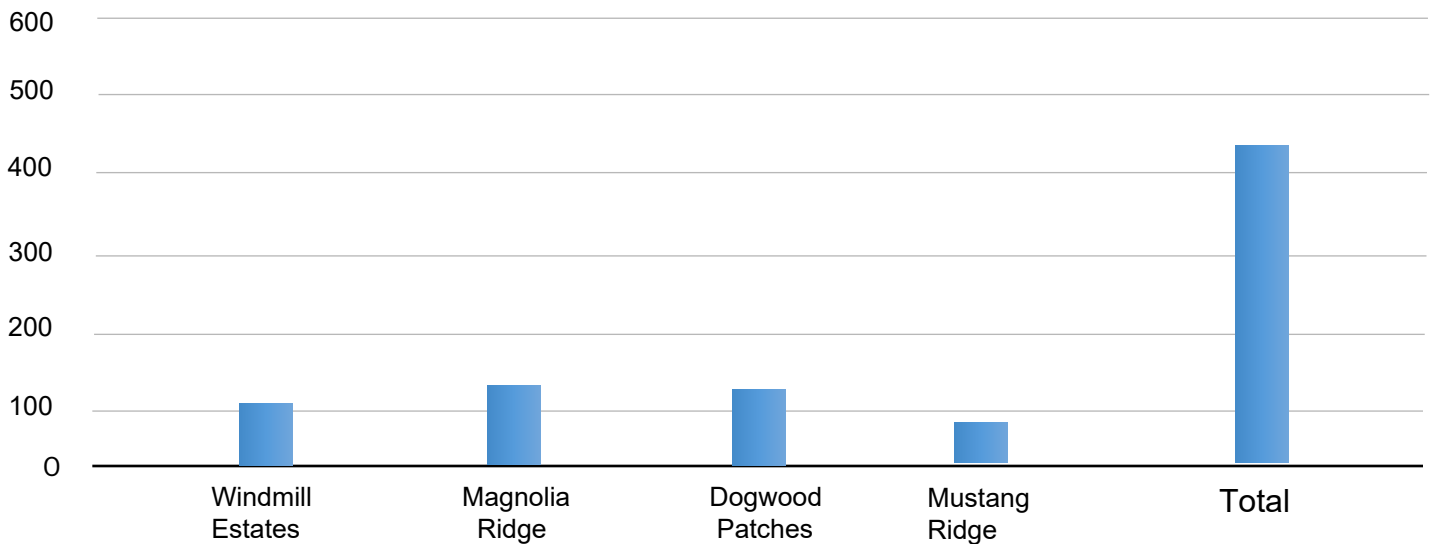
OFFENSE REPORTS

	May	June
Report Totals	57	59



RESIDENTIAL PATROLS

	Windmill Estates	Magnolia Ridge	Dogwood Patches	Mustang Ridge
May	130	146	134	112
June	107	123	120	76



June 2022

CALL TOTALS

OFFENSES	May	June	MONTHLY CHANGE
Burglary of a Vehicle	0	0	-
Burglary of a Building	0	0	-1
Burglary of a Habitation	0	0	-
Theft	1	0	-1
Fraud/Forgery	2	0	-2
Criminal Mischief	3	0	-1
Robbery	0	0	-
Assault/Family Violence	1	0	-
Death Investigation	0	0	-
Sexual Assault	0	0	-
Motor Vehicle Crash	6	0	-8
Alarms	18	0	+10
Medical calls	18	0	-2
Welfare Checks	8	0	-3
Disturbances	4	0	+2
Assist Outside Agency	12	0	-6
Narcotics	12	16	+2
DWI	7	10	-
Suspicious Person/Vehicle	16	18	+2

June 2022

CRIMINAL ARRESTS

	May	June	MONTHLY CHANGE
TOTAL ARRESTS	25	31	+6
NARCOTICS	12	16	+4
DWI	7	10	+3

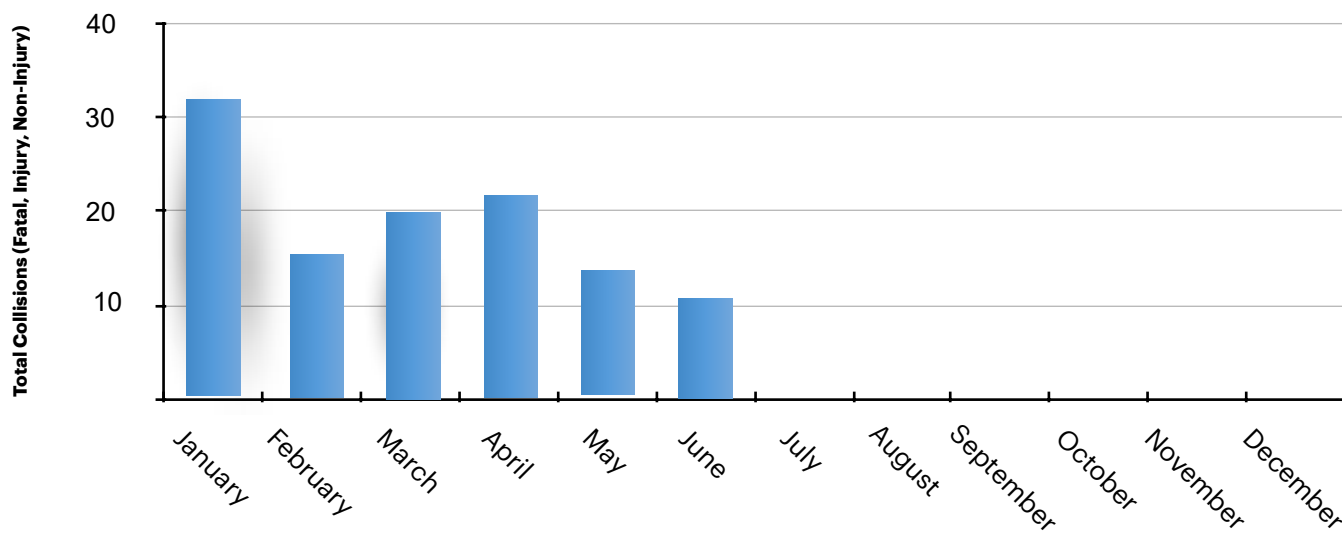
TRAFFIC CONTACTS BY RACE

	Asian Pacific	Black	Hispanic	Alaskan Indian	White
May	3	59	147	0	382
June	5	36	123	0	271
Change	+2	-23	-24	0	-111

TRAFFIC CRASHES

	May	June	MONTHLY CHANGE
Fatal	0	0	-
Injury	3	0	-3
Non-Injury	11	10	-1

TRAFFIC CRASH TREND 2022



TRAFFIC ENFORCEMENT

	May	June	MONTHLY CHANGE
FM 1488	348	278	-70
FM 1774	158	110	-48
Magnolia Blvd	214	123	-91
Buddy Riley	52	43	-9
Nichols Sawmill	31	19	-12
Total Violations	791	573	-218

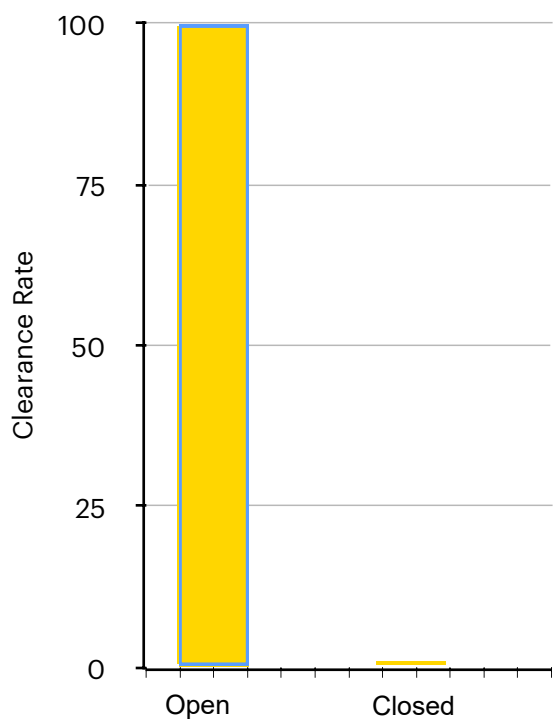
COMMERCIAL PATROLS

	May	June
Business Checks	645	523
Business Contacts	39	44
Totals	684	567

CRIMINAL INVESTIGATIONS

	May	June	MONTHLY CHANGE
Assault	0	1	+1
Sexual Assault	0	0	-
Robbery	0	0	-
Death	0	1	+1
Persons Crime Totals	0	2	+2
Burglary-Building	1	1	-
Burglary-Vehicle	0	0	-
Burglary- Habitation	0	0	-
Theft	3	1	-2
Hit and Run Crashes	0	0	-
Financial Crime	1	1	-
Criminal Mischief	0	1	+1
Arrests/Warrants	6	3	-3
Property Crime Totals	5	5	-

Case Clearance Rates



	May	June	MONTHLY CHANGE
Total Cases	5	7	+2
Cleared	0	0	-
Monthly Clearance Rate	0%	0%	

Call Type Report

MAGNOLIA POLICE DEPARTMENT

From: 06/01/2022

To: 06/30/2022

Call Type Description	Number of Calls
911 Hang up	1
Administration	10
Alarm	18
Animal Control	1
Arrest-Class A	5
Arrest-Class B	6
Arrest-Felony	14
Arrest-Warrant	1
Assault	1
Assault-Family Violence	1
Assist Magnolia PD	47
Assist Outside Agency	16
ATL/BOLO	7
Building Check	2
Burglary-Building	1
Business Check	532
Business Contact	44
Civil	2
Commercial Patrol	2
Criminal Mischief	3
Criminal Trespass	1
Disturbance in Progress	2
Disturbance Past	3
DOA	1
Follow up investigation	2
Fraud	2
Information	32

Call Type Report

MAGNOLIA POLICE DEPARTMENT

From: 06/01/2022

To: 06/30/2022

Call Type Description	Number of Calls
Investigation	1
K9 training	1
Medical Call	18
MVA-Minor	6
Noise Disturbance	2
OTHER	3
Residential Patrol-Dogwood Patches	120
Residential Patrol-Magnolia Ridge	123
Residential patrol-Mustang Ridge	76
Residential Patrol-Windmill Estates	107
Routine Patrol	115
SELECT	8
Suspicious Person	10
Suspicious Vehicle	3
Theft-Misd	1
Towed Vehicle	4
Traffic Hazard	4
Training	3
Unity Park Patrol	35
Vacation Watch	11
Welfare Check	8

Arrest Report Count

MAGNOLIA POLICE DEPARTMENT

From: 01/01/2022 To: 06/30/2022

<u>Offense</u>	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>Jun.</u>	<u>Jul.</u>	<u>Aug.</u>	<u>Sep.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total</u>
2022													
ASSAULT CAUSES BODILY INJURY FAMILY	0	0	1	0	0	0	0	0	0	0	0	0	1
CRIMINAL MISCHIEF >=\$100<\$750	0	0	0	0	0	1	0	0	0	0	0	0	1
CRIMINAL MISCHIEF >=\$750<\$2,500	0	0	0	1	0	0	0	0	0	0	0	0	1
CRIMINAL TRESPASS	2	0	0	0	1	0	0	0	0	0	0	0	3
DRIVING W/LIC INV W/PREV CONV/SUSP/W/O FIN RES	0	0	0	0	1	0	0	0	0	0	0	0	1
DRIVING WHILE INTOXICATED	4	5	4	2	5	7	0	0	0	0	0	0	27
DRIVING WHILE INTOXICATED 2ND	2	0	1	4	1	2	0	0	0	0	0	0	10
DRIVING WHILE INTOXICATED 3RD OR MORE	0	0	0	1	1	1	0	0	0	0	0	0	3
DRIVING WHILE INTOXICATED W/CHILD UNDER 15 YOA	1	1	0	0	0	0	0	0	0	0	0	0	2
DRIVING WHILE INTOXICATED/OPEN ALCH CONTAINER	0	1	0	0	0	0	0	0	0	0	0	0	1
FAIL TO IDENTIFY FUGITIVE FROM JUSTICE	1	0	0	0	0	0	0	0	0	0	0	0	1
FRAUD USE POSS OF IDENTIFYING INFO	0	1	0	0	0	0	0	0	0	0	0	0	1
FRAUD USE/POSS IDENTIFYING INFO # ITEMS 10<50	0	1	0	0	0	0	0	0	0	0	0	0	1
FRAUD USE/POSS IDENTIFYING INFO # ITEMS 5<10	0	1	0	0	0	0	0	0	0	0	0	0	1
INJURY CHILD/ELDERLY/DISABLE W/INT BODILY INJ	1	0	0	0	0	0	0	0	0	0	0	0	1
INTERFER W/PUBLIC DUTIES	0	1	0	0	2	0	0	0	0	0	0	0	3
MAN DEL CS PG 1-B >=4G<200G	0	0	1	0	1	0	0	0	0	0	0	0	2
MONEY LAUNDERING >=\$30K<\$150K	0	0	0	0	0	1	0	0	0	0	0	0	1
POSS CS PG 1 <1G	0	0	2	0	0	0	0	0	0	0	0	0	2
POSS CS PG 1 <1G ANALOGUE	0	1	0	1	1	0	0	0	0	0	0	0	3
POSS CS PG 1 >=1G<4G	0	1	0	0	0	0	0	0	0	0	0	0	1
POSS CS PG 1/1-B <1G	1	1	1	1	6	9	0	0	0	0	0	0	19
POSS CS PG 1/1-B >=1G<4G	4	0	0	2	0	3	0	0	0	0	0	0	9
POSS CS PG 1/1-B >=4G<200G	0	0	0	2	0	0	0	0	0	0	0	0	2
POSS CS PG 1>=4G<200G ANALOGUE	0	0	0	0	0	1	0	0	0	0	0	0	1
POSS CS PG 2 <1G ANALOGUE	0	0	0	1	1	0	0	0	0	0	0	0	2
POSS CS PG 2 >= 1G<4G	0	0	0	1	0	0	0	0	0	0	0	0	1
POSS CS PG 2 >=4G<400G	0	0	0	0	1	1	0	0	0	0	0	0	2
POSS CS PG 2< 1G	0	0	0	0	0	1	0	0	0	0	0	0	1
POSS CS PG 3 <28G	0	0	0	1	0	0	0	0	0	0	0	0	1
POSS CS PG1/1B <1G DFZ IAT 481.115	0	0	0	0	1	0	0	0	0	0	0	0	1
POSS DANGEROUS DRUG	0	0	1	0	0	0	0	0	0	0	0	0	1
POSS MARIJ <2OZ	1	2	1	2	0	0	0	0	0	0	0	0	6
POSS MARIJ >4OZ<=5LBS	0	0	0	0	1	0	0	0	0	0	0	0	1

<u>Offense</u>	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>Jun.</u>	<u>Jul.</u>	<u>Aug.</u>	<u>Sep.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total</u>
POSSESSION, PURCHASE, CONSUMPTION, OR RECEIPT OF CIGARETTES OR TOBACCO PRODUCTS BY MINORS PROHIBITED	0	0	0	0	0	1	0	0	0	0	0	0	1
PUBLIC INTOXICATION	0	0	0	1	0	0	0	0	0	0	0	0	1
RESIST ARREST SEARCH OR TRANSPORT	0	1	0	0	0	0	0	0	0	0	0	0	1
TAMPER FABRICATE PHYSICAL EVID W/INTENT TO IMPAIR	1	0	0	0	1	0	0	0	0	0	0	0	2
THEFT PROP <\$2,500 2/MORE PREV CONV	0	0	0	1	0	0	0	0	0	0	0	0	1
THEFT PROP >=\$100<\$750	0	0	0	1	0	0	0	0	0	0	0	0	1
THEFT PROP >=\$2,500<\$30K	1	0	0	0	0	0	0	0	0	0	0	0	1
THEFT PROP >=\$750<\$2,500	0	0	0	0	0	1	0	0	0	0	0	0	1
UNAUTHORIZED USE OF A VEHICLE	1	0	1	0	0	0	0	0	0	0	0	0	2
UNL CARRY HANDGUN LIC HOLDER	0	0	0	0	1	1	0	0	0	0	0	0	2
UNL CARRYING WEAPON	0	2	2	1	0	1	0	0	0	0	0	0	6
UNL POSS FIREARM BY FELON	0	0	1	0	0	0	0	0	0	0	0	0	1
Total	20	19	16	23	25	31	0	0	0	0	0	0	134

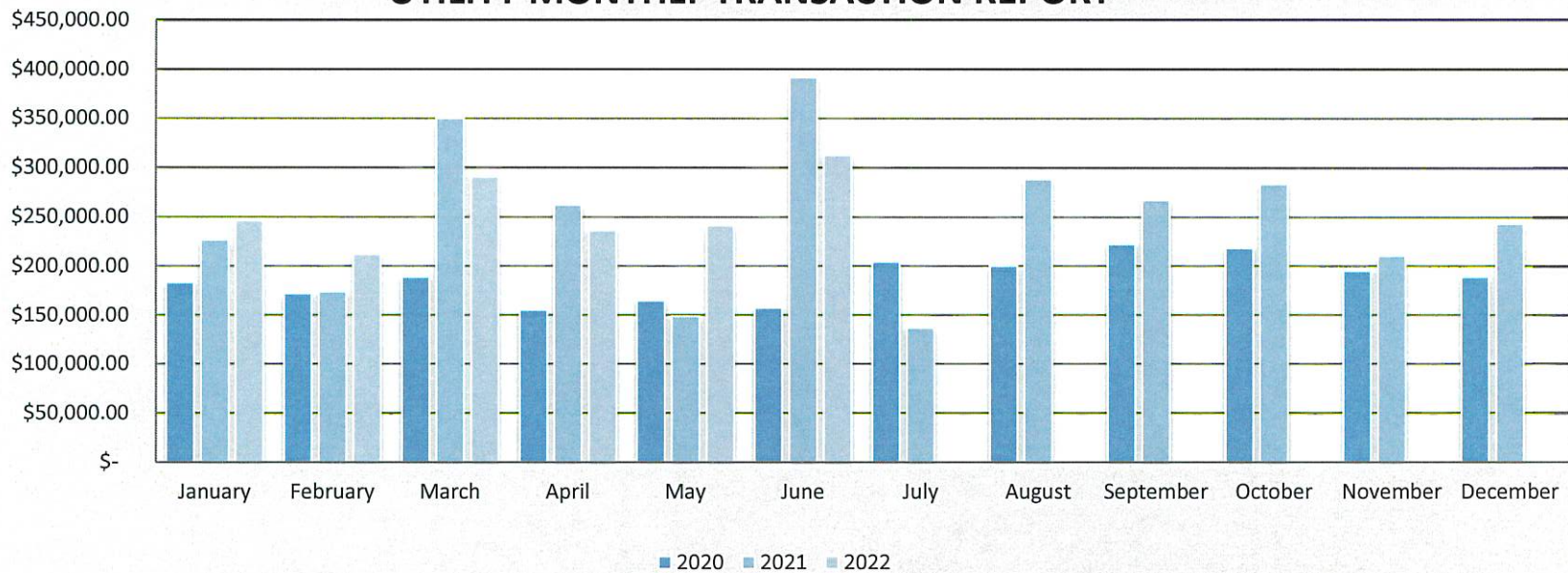
Jun-22

[illegible]

UTILITY MONTHLY TRANSACTION REPORT (does not include draft pmts)

Month	Payment Count	Amount	Month	Payment Count	Amount	% INCREASE
January-21	1124	\$ 226,510.88	January-22	1433	\$ 246,376.57	8.77%
February-21	1027	\$ 173,414.73	February-22	1434	\$ 211,985.98	22.24%
March-21	1358	\$ 350,005.32	March-22	1722	\$ 290,923.49	-16.88%
April-21	1166	\$ 262,288.95	April-22	1599	\$ 236,466.73	-9.84%
May-21	977	\$ 148,332.19	May-22	1601	\$ 241,277.44	62.66%
June-21	1383	\$ 391,474.13	June-22	1742	\$ 312,687.47	-20.13%
July-21	1261	\$ 136,619.42	July-22			-100.00%
August-21	1282	\$ 288,671.20	August-22			-100.00%
September-21	1317	\$ 267,150.94	September-22			-100.00%
October-21	1394	\$ 283,617.23	October-22			-100.00%
November-21	1291	\$ 210,024.35	November-22			-100.00%
December-21	1335	\$ 243,703.91	December-22			-100.00%
AVG	1243	\$ 248,484.44	AVG	1589	\$ 256,619.61	3.27%

UTILITY MONTHLY TRANSACTION REPORT



City Administrator's Report for July 12, 2022

Every day is a new adventure here in Magnolia! Here is a partial list of some of my recent activities since the last City Council Meeting:

06/14 Attended AEI Engineering Teams meeting for weekly projects review

06/15 Met with local Restaurant Owners to discuss new building

06/16 Met with Local Developer

06/16 Attended Planning & Zoning Commission meeting

06/20 Teleconference with local Developer

06/21 Attended AEI Engineering Teams meeting for weekly projects review

06/22 Met with local developer

06/23 Teleconference with Grant Consultants concerning GLO Audit

06/24 Teleconference with GLO and Grant Consults for GLO Audit

06/27 Met with local City Administrators and Managers

06/28 Attended AEI Engineering Teams meeting for weekly projects review

06/28 Attended Chamber of Commerce Governmental Affairs Committee meeting

06/29 Met with Sewer Line Extension Phase 3 Contractor

06/30 Attended Nichols Sawmill Office Park Ground Breaking

06/30 Attended meeting with Mayor, City Engineer, City Attorney and Audubon

07/04 Attended Unity Park Events and Fireworks

07/06 Met with local Developer

07/06 Met with Sewer Line Extension Phase 3 Contractor

I have attached a 2 - page Financial Summary

Don Doering

**City of Magnolia
Financial Summary
June 30, 2022
75% of Fiscal Year**

	Budgeted	Actual	Percent
General Fund			
Revenue	\$4,457,243	\$5,304,960	119%
Expenses	\$4,429,496	\$3,236,741	73%
Water & Sewer Fund			
Revenue	\$10,195,537	\$8,309,674	82%
Expenses	\$3,788,774	\$2,567,102	68%
Capital Projects Enter.			
Revenue	\$1,936,137	\$0	0%
Expenses	\$3,596,622	\$7,376,049	205%
Debt Service			
Revenue	\$786,235	\$765,680	97%
Expenses	\$785,718	\$131,217	17%
4B Community Dev.			
Revenue	\$506,000	\$427,328	84%
Expenses	\$379,018	\$144,498	38%
4A Economic Dev.			
Revenue	\$803,000	\$878,475	109%
Expenses	\$96,152	\$108,104	112%
Red Light Camera			
Revenue	\$0	\$40	100%+
Expenses	\$50,000	\$58,741	117%
445 Road Repair			
Revenue	\$412,000	\$440,826	107%
Expenses	\$300,000	\$1,860	1%
Hotel/Motel Occup.			
Revenue	\$40,000	\$44,456	111%
Expenses	\$40,000	\$12,829	32%
MC Security Fund			
Revenue	\$7,000	\$6,723	96%
Expenses	\$5,000	\$4,500	90%

**City of Magnolia
Financial Summary
June 30, 2022
75% of Fiscal Year**

	Budgeted	Actual	
MC Tech. Fund			
Revenue	\$9,000	\$7,563	84%
Expenses	\$8,100	\$7,551	93%
Scofflaw			
Revenue	\$0	\$0	0%
Expenses	\$0	\$0	0%
In-Kind Franchise			
Revenue	\$0	\$5,808	100%+
Expenses	\$0	\$0	0%
Capital Projects			
Revenue	\$0	\$0	0%
Expenses	\$0	\$0	0%
Magnolia Ridge PID			
Revenue	\$124,315	\$122,898	99%
Expenses	\$117,495	\$46,248	39%
Seized Property			
Revenue	\$0	\$12,730	100%+
Expenses	\$0	\$2,923	100%+
Judicial Efficiency			
Revenue	\$200	\$724	362%
<u>Expenses</u>	<u>\$0</u>	<u>\$0</u>	<u>0%</u>
Total Revenue	\$19,276,667	\$16,327,885	85%
Total Expenses	\$13,596,375	\$13,698,363	101%
Total Rev - Capital P.	\$17,340,530	\$16,327,885	94%
Total Exp. - Capital P.	\$9,999,753	\$6,322,314	63%

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	MISC. VENDOR BROOK PFEFFER	6/14/22	BROOK PFEFFER:REF SEC DEP	250.00
		TEXAS MUNICIPAL	6/13/22	TMRS	8,732.57
		INTERNAL REVENUE SERVICE	6/13/22	FEDERAL INCOME TAX W/H	6,433.34
			6/24/22	FEDERAL INCOME TAX W/H	6,364.95
			6/13/22	FICA WITHHOLDING	4,530.86
			6/24/22	FICA WITHHOLDING	4,502.92
			6/13/22	MEDICARE WITHHOLDING	1,059.63
			6/24/22	MEDICARE WITHHOLDING	1,053.14
		TX CHILD SUPPORT DISBURSEMENT UNIT	6/13/22	#201127387-0012459516 - HU	325.38
			6/24/22	#201127387-0012459516 - HU	325.38
			6/13/22	001227164411DCV19205-SMITH	219.23
			6/24/22	001227164411DCV19205-SMITH	219.23
			6/13/22	CAUSE#2014-22240 MANZO, JR	304.78
			6/24/22	CAUSE#2014-22240 MANZO, JR	304.78
		BUREAU VERITAS NORTH AMERICA, INC.	6/24/22	PROJ 2021-012034, OCT-DEC,	34,179.74
		KOLOGIK	6/24/22	WARRANT- ANN MAINT/SUPPORT	1,500.00
			6/24/22	ANN CITATION INTERGRATION	600.00
		NAVAL SURFACE WARFARE CENTER-CRANE DIV	6/14/22	NIGHT VISION POCKETSCOPE	2,100.00
		A.E.I. ENGINEERING, A BAXTER WOODMAN C	6/14/22	INV 0235153 MAG RID FOR SE	1,420.00
			6/14/22	INV 0235135 MAG VILLAGE RE	512.50
			6/14/22	INV 0235136-MAG VILLAGE RE	77.50
			6/14/22	INV 0235139-MILL CREEK EST	465.00
			6/14/22	INV 0235140-MILL CREEK SEC	176.25
			6/14/22	INV 0235141-WINDMILL EST W	117.50
			6/14/22	INV 0235142 MUSTANG RIDG S	77.50
			6/14/22	INV 0235143-UTIL-ESCONDIDO	385.00
			6/14/22	INV 0235145-MAG VILLAGE S	348.75
			6/14/22	INV 0235146-MAG FOREST 17,	695.00
			6/14/22	INV 0235147-CSTORE/GAS STA	465.00
			6/14/22	INV 0235148-MILL CRK EST S	1,885.00
			6/14/22	INV 0235149-CARRILLO BROS	1,017.50
			6/14/22	INV 0235152-MAG RID FOR SE	1,260.00
			6/14/22	INV 0235154-MAG RID FOR SE	3,623.75
			6/14/22	INV 0235156-MAG PLACE SEC	1,095.00
			6/14/22	INV 0235157-15AC FM 1486 T	1,407.50
			6/14/22	INV 0235158-ESCONDIDO L/S	916.25
			6/14/22	INV 0235159-MAG RID FOR SE	131.25
			6/14/22	INV 0235160-MAG RID FOR S	131.25
			6/14/22	INV 0235161-MAG RID FOR S3	131.25
			6/14/22	INV 0235162 MAG RID FOR S5	131.25
			6/14/22	INV 0235163-MAG RID FOR S6	131.25
			6/14/22	INV 0235164-MUST RID SEC 3	942.50
			6/14/22	INV 0235165 MAG RID FOR SE	1,257.50
		GLOBE LIFE/LIBERTY NATIONAL	6/27/22	ACCT 28311 PIN 212749	372.68
		CALIFORNIA STATE DISBURSEMENT UNIT	6/09/22	CASE ID200000002223575-FON	349.84
			6/22/22	CASE ID200000002223575-FON	349.84
		AFLAC	6/27/22	AFLAC	338.44
				TOTAL:	93,217.98
ADMINISTRATION	GENERAL FUND	TEXAS MUNICIPAL	6/13/22	TMRS	598.80
			6/14/22	TEXAS MUNICIPAL- INT LATE	8.17
		INTERNAL REVENUE SERVICE	6/13/22	FICA WITHHOLDING	356.30
			6/24/22	FICA WITHHOLDING	364.59
			6/13/22	MEDICARE WITHHOLDING	83.33
			6/24/22	MEDICARE WITHHOLDING	85.27
		FEDEX	6/14/22	FEDEX-5/19-CENTERPOINT	40.37

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			6/14/22	FEDEX-5/26-TATIANNA GIPSON	48.06
			6/14/22	FEDEX - HUNTON ANDREWS KUR	71.29
		AMERICAN EXPRESS	6/27/22	CHICKEN EXPRESS	5.82
			6/27/22	RANCHO GRANDE	389.99
			6/27/22	SOFTWARE	16.08
			6/27/22	SOFTWARE	16.08
			6/27/22	SUBWAY TANA & JERI	137.96
			6/27/22	AMERICAN EXPRESS	85.39
		HEARST NEWSPAPERS,LLC	6/14/22	PUBLIC HEARING UDC 5/25	55.68
			6/14/22	ORDINANCE O-2022-012	90.60
			6/27/22	HEARST NEWSPAPERS,LLC	83.00
			6/27/22	legal notices	86.80
		BUREAU VERITAS NORTH AMERICA, INC.	6/14/22	202200652-205 RUSTIC RIDGE	860.95
			6/14/22	202200785-217 RUSTIC RIDGE	785.00
			6/14/22	202200815-240 RUSTIC RIDGE	785.00
			6/14/22	202200814-237 RUSTIC RIDGE	785.00
			6/14/22	202200688-233 RUSTIC RIDGE	785.00
			6/14/22	202200596 310 BANDIT COVE	1,127.30
			6/14/22	202200789 445 RIDGE PALM	1,470.65
			6/14/22	202200818-701 RUMPLE ELM R	920.80
			6/14/22	202200692 41675 SORREL SPR	1,036.30
			6/14/22	202200930 717 RUMPLE ELM	1,196.95
			6/14/22	202200766-41670 SORREL SPR	968.75
			6/14/22	20220689-236 RUSTIC RIDGE	829.45
			6/14/22	20220860-627 COYOTE CANYON	883.70
			6/14/22	202200807-206 BELLEWOOD MA	996.40
			6/14/22	202200869-207 BELLEWOOD MA	1,054.85
			6/14/22	202200707-202 BELLEWOOD MA	1,045.05
			6/14/22	202200702-210 BELLEWOOD MA	1,237.55
			6/14/22	202200701-203 BELLEWOOD MA	1,081.10
			6/14/22	202200809-198 BELLEWOOD MA	899.80
			6/14/22	202200805-190 BELLEWOOD MA	977.50
			6/14/22	202200703-218 BELLEWOOD MA	899.80
			6/14/22	202200623-709 RUMPLE ELM R	918.00
			6/14/22	202200696-617 EMERALD BLOS	160.00
			6/14/22	202200779-229 RUSTIC RIDGE	864.10
			6/14/22	202200785-214 ALDER LAUREL	1,255.75
			6/14/22	202200736-221 RUSTIC RIDGE	982.40
			6/14/22	202200729-508 HIGH HOLLY C	445.05
			6/14/22	202200762-341 FLOWER REED	1,164.75
			6/14/22	202200935-345 FLOWER REED	1,045.75
			6/14/22	202200719-225 RUSTIC RIDGE	1,000.60
			6/14/22	202200777 HIGH HLLY CIR	160.00
			6/14/22	202200965-252 RUSTIC RIDGE	852.20
			6/14/22	202200773-248 RUSTIC RIDGE	905.05
			6/14/22	202200802-194 BELLEWOOD MA	1,054.85
			6/14/22	202200820-123 COMBER RD	76.92
			6/14/22	202200796-827 DOGWOOD TRL	76.92
			6/14/22	202200841-139 COMBER RD	76.92
			6/14/22	202200806 838 DEERHURST	76.92
			6/14/22	2022009904 213 RUSTIC RIDG	912.40
			6/14/22	202200372 391 JEWETT MEADO	76.92
			6/14/22	202200961-215 BELLEWOOD MA	1,007.60
			6/14/22	202200843 186 BELLEWOOD MA	1,081.10
			6/14/22	202200959 178 BELLEWOOD MA	1,045.05
			6/14/22	202200894 726 CRYSTAL CHAR	133.95

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			6/14/22	202200915-207 GARNETT	76.92
			6/14/22	202200916 904 PICKERING OA	76.92
			6/14/22	202200917 932 PICKERING OA	76.92
			6/14/22	202200918-952 PICKERING OA	76.92
			6/14/22	202200950 302 CORBIN	76.92
			6/14/22	2022000950 303 CORBIN	76.92
			6/14/22	202200983 41518 STAMPEDE S	76.92
			6/14/22	202201049 908 PICKERING OA	76.92
			6/14/22	202201050-904 PICKERING OA	76.92
			6/14/22	202200126 608 BLUE MOCKING	1,396.80
			6/14/22	202200128-634 RUNNING IRON	1,429.70
			6/14/22	202200144-419 JEWETT MEADO	933.75
			6/14/22	202200143-415 JEWETT MEADO	1,000.60
			6/14/22	202200422-18015 FM 1488	437.34
			6/14/22	202200280-0446 JEWETT MEAD	968.75
			6/14/22	202200767-177724 GOLD SADD	1,412.90
			6/14/22	202200605-703 CRYSTAL CHAR	1,325.05
			6/14/22	202200933-406 RIDGE PALM R	1,444.40
			6/14/22	202200464-510 BLACK BRONCO	1,521.75
			6/14/22	202200673-300 ODESSA DR	1,310.00
			6/14/22	202200502-379 JEWETT MEADO	785.00
			6/14/22	202200546-600 LILY PINE	1,275.70
			6/14/22	202200931-705 RUMBLE ELM	1,145.15
			6/14/22	202200543-18934 FM 1488	126.92
			6/14/22	202200854-41662 SORREL SPR	1,118.55
			6/14/22	202200642-414 RIDGE PALM	1,196.95
			6/14/22	202200827 418 RIDGE PALM	871.10
			6/14/22	202200823 422 RIDGE PALM	920.80
			6/14/22	202200790-433 RIDGE PALM	968.05
			6/14/22	202200908 375 JEWETT MEADO	785.00
			6/14/22	202200697-704 LARKSPUR SHA	785.00
			6/14/22	202200758-711 LARKSPUR SHA	785.00
			6/14/22	202200631-707 LARKSPUR SHA	785.00
			6/14/22	202200609 449 RIDGE PALM	1,370.55
			6/14/22	202201010-41659 SORREL SPR	1,079.70
			6/14/22	202201011-41650 SORREL SPR	1,026.85
			6/14/22	202200643-703 LARKSPUR SHA	829.45
			6/14/22	202200632-RUSTIC RIDGE	1,000.60
			6/14/22	202200801-209 RUSTIC RIDGE	834.00
			6/14/22	202200905-436 RIDGE PALM	920.80
			6/14/22	202200757-201 RUSTIC RIDGE	912.40
		LEONARD V SCHNEIDER IV dba	6/14/22	LEONARD V SCHNEIDER INV 22	9,904.30
		BROOKSHIRE BROTHER'S	6/14/22	LUNCHEON TANA/JERI	36.00
		KENDIG KEAST COLLABORATIVE	6/13/22	UPDATE OFFICIAL ZONING MAP	3,397.50
		ROSS, TANA	6/30/22	REGULAR HOURS	2,695.00
			6/30/22	IN PERSON HOURS	1,304.25
			6/30/22	REGULAR HOURS	1,610.00
			6/30/22	IN PERSON HOURS	1,683.50
		STRAND ASSOCIATES, INC	6/27/22	ON CALL ENGINEERING SRVCS	208.75
		GREATAMERICAN FINANCIAL SRVCS	6/14/22	GREATAMERICAN FIN SVCS-ADM	226.67
		HUNT, CLYDE M	6/14/22	HUNT, CLYDE M 5/11-6/14 20	2,000.00
		GO TO COMMUNICATIONS, INC.	6/14/22	GO TO COMMUNICATIONS, 6/20	174.20
		GRAPHIC RESULTS	6/27/22	PLAQUES	17.00
		OPTIMUM COMPUTER SOLUTIONS, INC	6/16/22	SET UP JACK HUITT,	62.50
			6/16/22	REBOOT SERVER	125.00
			6/16/22	CITY SEC CONSULT	93.75

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			6/16/22	RACHEL EMAIL MONITORING A/	62.50
			6/16/22	CHECK INTERNET CONNECTION	181.25
		THE CHAPMAN FIRM PLLC	6/16/22	TIMBERBROOK DRAINAGE PROF	1,212.00
		A.E.I. ENGINEERING, A BAXTER WOODMAN C	6/14/22	INV 0235131-MUNI CONSULT S	21,372.84
			6/14/22	INV 0235132-PERMITS & ROW	2,367.50
			6/14/22	INV 0235137-AUDUBON CONTRA	470.00
			6/14/22	INV 0235135- EMERGENCY PRE	873.75
		OPTIQUEST INTERNET SERVICES, INC.	6/14/22	EMAIL SPAM FILTERING 6/202	365.00
			6/27/22	office 365	582.50
		ODP BUSINESS SOLUTIONS, LLC	6/27/22	office supplies	47.48
		OFFICE DEPOT, INC.	6/14/22	POST-IT NOTES	17.21
		SKELTON BUSINESS EQUIPMENT	6/16/22	FINANCE-COPIES	34.88
			6/16/22	ADMIN COLOR COPIES	136.80
			6/16/22	ADMIN B/W COPIES	63.24
		PITNEY BOWES PURCHASE POWER	6/27/22	REFILL 6/16/2022	145.00
				TOTAL:	123,489.94
POLICE	GENERAL FUND	TEXAS MUNICIPAL	6/13/22	TMRS	3,540.46
		INTERNAL REVENUE SERVICE	6/13/22	FICA WITHHOLDING	2,273.67
			6/24/22	FICA WITHHOLDING	2,250.99
			6/13/22	MEDICARE WITHHOLDING	531.75
			6/24/22	MEDICARE WITHHOLDING	526.45
		O'REILLY AUTOMOTIVE, INC	6/14/22	151566-PD-OIL CHGS	346.15
			6/14/22	145958-PD SCRAPER, PAINT	48.96
		AMERICAN EXPRESS	6/27/22	TRAINING	350.00
			6/27/22	memberships	14.99
			6/27/22	training	1,323.70
			6/27/22	uniforms	171.98
			6/27/22	vehicle maintenance	184.91
			6/27/22	comp softw	108.76
			6/27/22	Evidence	25.95
			6/27/22	Fuel	48.88
			6/27/22	office supplies	152.94
			6/27/22	name plate, easel	9.80
		SYMBOL ARTS	6/27/22	Badge #40 refinished	60.00
		JK GRAPHICS, INC	6/16/22	CARDS, BONILLA,PAYNE,CORTE	290.00
		TLO, LLC	6/16/22	TLO, LLC MAY 2022	177.00
		CMI, INC.	6/14/22	SD2 LOT OF 250 MOUTHPIECE-	72.66
		GREATAMERICAN FINANCIAL SRVCS	6/14/22	GREATAMERICAN FIN SVCS-PD	226.67
		S & B STORAGE & TOWING	6/14/22	UNIT 1902-#170328	100.00
			6/16/22	UNIT 1902 TOWING	100.00
		NEWBART PRODUCTS, INC.	6/16/22	POLICE DEPT STAFF- BADGES	250.00
		MEDELLA URGENT CARE, PLLC	6/14/22	RANDOM- PAUL HUDSON	35.00
		OPTIMUM COMPUTER SOLUTIONS, INC	6/16/22	FORMATTED MDTs, LOOK UP SS	631.25
			6/14/22	OPTIMUM COMPUTER SOLUTIONS	750.00
		OPTIQUEST INTERNET SERVICES, INC.	6/14/22	REMOTE BACKUP MONTHLY FEE	315.00
		VERIZON WIRELESS	6/16/22	MONTHLY INTERNET SERV CHG	129.52
		IACP	6/14/22	IACP- LT SOTO ANN MEMBERSH	190.00
		SKELTON BUSINESS EQUIPMENT	6/16/22	PD COLOR COPIES	47.25
			6/16/22	PD B/W COPIES	13.61
				TOTAL:	15,298.30
PUBLIC WORKS	GENERAL FUND	MISC. VENDOR	6/14/22	HCTRA -TOLL 2015 DODGE 138	7.75
		TEXAS MUNICIPAL	6/13/22	T M R S	2,004.44
		INTERNAL REVENUE SERVICE	6/13/22	FICA WITHHOLDING	1,253.60
			6/24/22	FICA WITHHOLDING	1,244.00

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			6/13/22	MEDICARE WITHHOLDING	293.17
			6/24/22	MEDICARE WITHHOLDING	290.95
		O'REILLY AUTOMOTIVE, INC	6/14/22	147239-SHOP-301BR134W/DY	369.99
			6/14/22	147388-PW 17 AIR COMPRESSO	118.37
			6/14/22	148096-REN VAN- MOTOR BLOW	235.30
		CALDWELL COUNTRY CHEVROLET	6/14/22	CALDWELL-2022 FORD F150 -8	25,370.00
		W&G AUTO & INDUSTRIAL	6/16/22	634660-pw32 STARBIT SET	9.69
			6/16/22	634661-2TURN TOGGLE CHROME	7.29
			6/16/22	634672-PW32-FUEL INJ PUMP	2,358.00
			6/16/22	634890-PW32 CORE RET	667.00-
			6/16/22	634891-PW04-LOW BEAM	66.49
			6/16/22	634891-WRENCH SETS 2	30.98
			6/16/22	635647-PW04 CAPSULES	69.82
			6/16/22	635647-PW04 CAPSULES RET	69.82-
			6/16/22	635974-SHOP-RECHGBL FLASHL	111.99
			6/16/22	635650-REN VAN	38.98
			6/16/22	635082-PW31-SPONGE, PAINT	13.13
			6/16/22	636970-SHOP-LUB SPRAY	11.99
			6/16/22	634768-SHOP- 10PC 3/8 MET	22.49
		MIDTEX OIL, L.P.	6/14/22	MIDTEX OIL, L.P.6/10 GAL	3,139.02
		BUCKALEW CHEVROLET, LP.	6/14/22	HANDLE P/W02	70.77
		RAGO TRAINING	6/14/22	RAGO-D MCLANE WASTEWATER L	325.00
		COBURN SUPPLY COMPANY, INC	6/14/22	THREADED FULL PORT BALL VA	9.29
			6/14/22	THREADED FULL PORT BALL VA	9.29-
		MEDELLA URGENT CARE, PLLC	6/14/22	BRIAN LITKE -DECLINED EMP	35.00
			6/14/22	KEITH BLACKWELL	35.00
		SUMMER ENERGY, LLC	6/16/22	151 COE RD-STREET LIGHTS	24.05
			6/16/22	151 COE RD-STREET LIGHTS	187.53
			6/16/22	151 COE RD-STREET LIGHTS	540.31
			6/16/22	538 SABINO SKY CT	15.34
			6/16/22	151 COE RD-STREET LIGHTS	259.77
			6/16/22	151 COE RD-STREET LIGHTS	964.09
			6/16/22	151 COE RD-STREET LIGHTS	544.62
		AMERICAN FLAGPOLE & FLAG CO.	6/14/22	5- 4x6 US FLAGS	199.50
			6/14/22	6-4X6 TEXAS FLAGS	279.00
		CLAUDIA SEVILLA RIOS	6/22/22	1/2 DOWN TO REPAIR 2018 PK	1,798.00
		TAMMY J MCRAE	6/16/22	2022 FORD F150 REG/TITLE	16.75
		MAGNOLIA HARDWARE AND SUPPLY	6/14/22	146839-PADLOCK 4PIN TUMBLE	12.99
			6/14/22	146889-KEYS,KEY RING/TAGS	19.12
			6/14/22	146889-ENGRAVER ELECTRIC	25.99
			6/14/22	146893-ENGRAVER ELECTRIC R	25.99-
			6/14/22	146894-FUEL LINE,HOSE CLAM	4.97
			6/14/22	146925-FAN 30" AIR CIRCULA	279.99
			6/14/22	146969-GATORADE 51OZ (3)	26.97
			6/14/22	146970-SNGL SIDED METAL KE	12.72
			6/14/22	147040-SNGL SIDED METAL KE	6.36
			6/14/22	147044-CHISEL,BRUSH,GRIND	38.36
			6/14/22	147044-GRIND WHEEL,WELD RO	41.48
			6/14/22	147053-WELDING SUPPLIES	81.55
			6/14/22	147062-WELDING SUPPLIES	24.39-
			6/14/22	147066-STIHL TRIMR LINE	34.00
			6/14/22	147076-SAW HORSE	39.89
			6/14/22	147116-SPEC FIRE ANT KILLE	15.99
			6/14/22	147147-BOLTS,NUTS-TRAILER	12.16
			6/14/22	147211-SHOVEL,BUNGEE CRD,B	104.54
			6/14/22	147256-CUTTING TIP	22.49

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			6/14/22	147256-TORCH KIT MED DUTY	229.99
		UNIFIRST CORPORATION	6/27/22	PUBLIC WKS UNIFORMS CLEAN	977.89
		TOMBALL FORD	6/16/22	REN VAN- LATCH, REMOTE	123.67
		TRACTOR SUPPLY COMPANY	6/16/22	EXCAVATOR REPAIR-	27.52
			6/16/22	PRESSURE SWITCH-COMPRESSOR	119.99
			6/16/22	GRINDER KIT	339.99
			6/16/22	TAPE MEASURE	13.99
			6/16/22	COMBINE SQUARE	16.99
			6/16/22	FRAMING SQUARE	<u>14.99</u>
			TOTAL:		44,219.56
MUNICIPAL COURT	GENERAL FUND	MISC. VENDOR FRANCES SUAREZ	6/16/22	FRANCES SUAREZ:PER DIEM	62.00
		TEXAS MUNICIPAL	6/13/22	TMRS	331.37
		INTERNAL REVENUE SERVICE	6/13/22	FICA WITHHOLDING	210.72
			6/24/22	FICA WITHHOLDING	217.83
			6/13/22	MEDICARE WITHHOLDING	49.28
			6/24/22	MEDICARE WITHHOLDING	50.95
		AMERICAN EXPRESS	6/27/22	STAMPS	24.99
			6/27/22	STAMPS	200.00
			6/27/22	AMERICAN EXPRESS	19.34
		ROSENQUIST, ROBERT	6/16/22	ROSENQUIST, ROBERT MAY 202	1,000.00
		KOLOGIK	6/24/22	WARRANT- ANN MAINT/SUPPORT	1,500.00
			6/24/22	ANN CITATION INTERGRATION	600.00
		OMNI BASE SERVICES OF TEXAS, LP	6/14/22	OMNI BASE SERV 4TH QTR 20	<u>504.00</u>
			TOTAL:		4,770.48
FINANCE	GENERAL FUND	TEXAS MUNICIPAL	6/13/22	T M R S	303.21
		INTERNAL REVENUE SERVICE	6/13/22	FICA WITHHOLDING	266.19
			6/24/22	FICA WITHHOLDING	255.13
			6/13/22	MEDICARE WITHHOLDING	62.25
			6/24/22	MEDICARE WITHHOLDING	59.67
		CNA SURETY BOND	6/14/22	K GARRETT-SURETY BOND 6/10	<u>50.00</u>
			TOTAL:		996.45
CITY SECRETARY	GENERAL FUND	MISC. VENDOR KANDICE GARRETT	6/14/22	KANDICE GARRETT:PER DIEM F	73.00
		KANDICE GARRETT	6/14/22	K.GARRETT:MILEAGE 6/16-17	239.27
		TEXAS MUNICIPAL	6/13/22	T M R S	266.02
		INTERNAL REVENUE SERVICE	6/13/22	FICA WITHHOLDING	170.38
			6/24/22	FICA WITHHOLDING	170.38
			6/13/22	MEDICARE WITHHOLDING	39.85
			6/24/22	MEDICARE WITHHOLDING	39.85
		AMERICAN EXPRESS	6/27/22	SEMIBAR KANDICE	285.00
		MARK TURNBULL, COUNTY CLE	6/27/22	AUDUBON AGRMNT	103.00
			6/27/22	HERTIAGE GREEN UTILITY EAS	39.00
			6/27/22	HERITAGE GREEN UTILITY EAS	47.00
			6/27/22	HERTIAGE GREEN UTILITY EAS	39.00
			6/27/22	HERITAGE GREEN UTILITY EAS	51.00
			6/27/22	HERITAGE GREEN UTILITY EAS	47.00
			6/27/22	HERITAGE GREEN UTILITY EAS	43.00
			6/27/22	MARK TURNBULL, COUNTY CLE	<u>51.00</u>
			TOTAL:		1,703.75
FACILITIES	GENERAL FUND	THOMAS M. ESTRADA	6/24/22	CLEAING 5/20-6/20/2022	1,350.00
		THE WRIGHT A/C AND HEATING CO., INC.	6/16/22	AC REPAIR COURT.	180.00
			6/27/22	THE WRIGHT A/C AND HEATING	180.00
			6/27/22	THE WRIGHT A/C AND HEATING	1,305.00

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
		AT&T CORP	6/27/22	AT&T CORP	2,121.14
		MITEL NETWORKS, INC.	6/16/22	MITEL NETWORKS, INC.JULY 2	823.12
		SUMMER ENERGY,LLC	6/16/22	426 MELTON ST	41.11
			6/16/22	909 MAGNOLIA BLVD	4.68
			6/16/22	17603 1/2 FM 1488 RD	4.58
			6/16/22	110 CLEPPER ST	7.05
			6/16/22	17351 FM 1488 RD	8.92
			6/16/22	110 1/3 CLEPPER ST	33.51
			6/16/22	18111 BUDDY RILEY BLVD	1,553.48
			6/16/22	110 1/3 MAGNOLIA BLVD	77.31
			6/16/22	214 1/3 LEE ST	8.77
			6/16/22	17530 1/3 FM 1488 RD	11.14
		MAGNOLIA HARDWARE AND SUPPLY	6/14/22	146804-PLANT FOOD,FERTILIZ	32.17
			6/14/22	146804-ROLLER COVER,FRAME	12.86
			6/14/22	146818-BRACE BAND,NUTS,BOL	17.88
		UNIFIRST CORPORATION	6/27/22	UNIFIRST HOLDINGS, ADMIN	289.82
			6/27/22	UNIFIRST HOLDINGS, L.P.-CO	579.64
				TOTAL:	8,642.18
CITY COUNCIL	GENERAL FUND	GRAPHIC RESULTS	6/27/22	SHIRTS	176.00
			6/27/22	NAME PLATE	12.00
				TOTAL:	188.00
PARKS	GENERAL FUND	TEXAS TIMBER RESOURCES, LLC	6/16/22	DECOMPOSED GRANITE	288.45
			6/16/22	TEXAS TIMBER RESOURCES, LL	43.00
			6/16/22	TEXAS TIMBER RESOURCES, LL	28.00
		SUMMER ENERGY,LLC	6/16/22	120 6TH STREET	23.65
			6/16/22	901 CLOYD DR	196.88
		GNJ PREFERRED SOLUTIONS, LLC	6/14/22	INV 54304-FIRE ANT CONTROL	2,180.00
		MAGNOLIA HARDWARE AND SUPPLY	6/14/22	146989-BOLTS,WASHERS,LOCKN	3.16
			6/14/22	147000-RATCHET STRAP (2)	37.98
			6/14/22	147034-QUIK-CRETE (PICNIC	25.98
			6/14/22	147065-SCREWS,WASHERS,REDI	39.85
			6/14/22	147065-6X6X8 TREATED LUMBE	59.78
			6/14/22	147197-ALUM TIES,BRACE BAN	8.18
			6/14/22	147197-CONDUIT EMT,SSCB,SS	88.42
			6/14/22	147322-STIHL X-LINE,STIHL	33.01
			6/14/22	147322-FERTILIZER,SUPERTUR	232.95
				TOTAL:	3,289.29
NON-DEPARTMENTAL	WATER	MISC. VENDOR TEXAS AMERICAN TITLE C	6/24/22	TEXAS AMERICAN TITLE CO:SA	67,930.00
		TEXAS AMERICAN TITLE C	6/24/22	SETTLEMENT CHRGS	1,795.15
		TEXAS MUNICIPAL	6/13/22	T M R S	344.89
		INTERNAL REVENUE SERVICE	6/13/22	FEDERAL INCOME TAX W/H	93.01
			6/24/22	FEDERAL INCOME TAX W/H	125.22
			6/13/22	FICA WITHHOLDING	158.82
			6/24/22	FICA WITHHOLDING	176.52
			6/13/22	MEDICARE WITHHOLDING	37.14
			6/24/22	MEDICARE WITHHOLDING	41.28
		TXDOT, FINANCE DIVISION	6/16/22	S2017-001-02 PRIN PMT 6/29	48,437.25
				TOTAL:	119,139.28
WATER	WATER	TEXAS MUNICIPAL	6/13/22	TMRS	278.21
		LONE STAR GROUNDWATER	6/14/22	QTRLY OPERATING PERMIT FEE	2,863.08
			6/14/22	QTRLY HISTORIAL PERMIT FEE	2,725.67
		INTERNAL REVENUE SERVICE	6/13/22	FICA WITHHOLDING	158.82

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			6/24/22	FICA WITHHOLDING	176.52
			6/13/22	MEDICARE WITHHOLDING	37.14
			6/24/22	MEDICARE WITHHOLDING	41.28
		O'REILLY AUTOMOTIVE, INC	6/14/22	152033-1774 GENERATOR	89.98
		CITY OF MAGNOLIA(MISC.)	6/14/22	SJRA HELD FUNDS-MAY 2022	17,878.56
			6/14/22	SJRA PENALTIES-APRIL 2022	5,041.99
		CHLORINATOR MAINT. CO., INC.	6/14/22	ISCO LATCH/PUMP HOUSING RP	1,351.24
		NORTH WATER DISTRICT LABORATORY SERVIC	6/14/22	NORTH WATER DISTRICT LABOR	2,140.00
			6/14/22	SCHEDULED BACTS	350.00
		MAGNA FLOW ENVIRONMENTAL, INC.	6/27/22	INVOICE 75495	10,829.22
		SJRA-GRP DIVISION	6/14/22	SJRA-MAY, 2022 REPORT	74,068.32
		WCA WASTE SYSTEMS, INC.	6/16/22	WCA WASTE MAY 2022.	18,511.83
		TXDOT, FINANCE DIVISION	6/16/22	S2017-001-02 INT PMT 6/29	9,990.75
		W&G AUTO & INDUSTRIAL	6/16/22	635974-SHADOW SPR L/S FILT	17.76
			6/16/22	636960-FM 149 L/S BATTERY,	315.48
		G J BORING & CONSTRUCTION SERVICES, IN	6/14/22	506 SATTERWHITE -WATER LEA	3,995.00
			6/14/22	30519 OLD HOCKLEY RD WATER	3,890.00
		BRILLIANT ENERGY LLC	6/24/22	743 1/2 KELLY	4,909.37
			6/24/22	30910 NICHOLS SAWMILL	4,909.37
		AOS TREATMENT SOLUTIONS, LLC	6/14/22	AOS PHOSPHATE BLEND-ELM W/	1,420.00
			6/14/22	AOS PHOSPHATE BLEND-KELLY	1,730.00
		LLOYD GOSSELINK ROCHELL & TOWNSEND, PC	6/14/22	INV 97531990-UTILITY RATE	283.75
			6/14/22	INV 97531990-UTILITY RATE	283.75
		COBURN SUPPLY COMPANY, INC	6/14/22	1- 4 LEAD FREE FULL BALL V	14.15
			6/14/22	1-BACKFLOW PREVENTER	358.75
			6/14/22	12-2 IN COUPLING CTS	308.52
			6/14/22	12-3/4 COUPLING CTS	269.64
			6/14/22	2-3/4X1 COUPLING CTS	52.24
			6/14/22	500- 3/4X1/8 RUBBER WASHER	50.00
			6/14/22	3-3/4X36 WATER METER KEY	125.79
			6/27/22	couplings,water meter	1,695.89
		AGUAWORKS PIPE & SUPPLY, LLC	6/27/22	5-2" 3200AMR/MMI FLG METER	6,017.50
		A.E.I. ENGINEERING, A BAXTER WOODMAN C	6/14/22	INV 0235134 UTILITY MAP	1,267.88
		SUMMER ENERGY,LLC	6/16/22	114 1/3 LEE ST	20.41
			6/16/22	140 KELLY RD	13.44
			6/16/22	42130 1/2 FM 1774 RD	39.20
			6/16/22	217 LEE ST	39.36
			6/16/22	30910 NICHOLS SAWMILL RD	4,075.38
			6/16/22	731 LITTLE TWIG LN	4.75
			6/16/22	299 MAGNOLIA RIDGE BLVD	164.22
			6/16/22	312 EDWARDS DR	7.00
			6/16/22	31641 HANKS RD	22.62
			6/16/22	407 MELTON ST	62.09
			6/16/22	105 ROY ST	20.31
			6/16/22	17703 WINDWARD	57.04
			6/16/22	19013 FM 1488 RD	5.53
			6/16/22	38851 SPUR 149 RD	357.83
			6/16/22	423 MAGNOLIA BLVD	6.53
			6/16/22	18103 LOOKOUT LANE	10.21
			6/16/22	15683 FM 1488 RD	494.34
			6/16/22	743 1/2 KELLY RD	6,305.85
			6/16/22	30910 1/3 NICHOLS SAWMILL	36.41
			6/16/22	17509 LITTLE BOUGH LN	15.23
			6/16/22	819 CLOYD DR	71.45
			6/16/22	623 1/2 KELLY RD	235.53
			6/16/22	105 ELM ST	2,291.12

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			6/16/22	555 MAGNOLIA BLVD	82.33
			6/27/22	151 Coe Rd	32.11
		EPCOR	6/14/22	EPCOR 31907 NICHOLS SAWMIL	1,975.32
		MAGNOLIA HARDWARE AND SUPPLY	6/14/22	146763-BRICK TROWEL	44.99
			6/14/22	146763-REDI-MIX 80LB BAG	4.59
			6/14/22	146780-FIRE ANT/WASP KILLE	20.97
			6/14/22	146803-ADAPTER, ELBOW, TAPE	14.16
			6/14/22	146831-WHITE FLAG STAKES	32.97
			6/14/22	146852-LIGHT BULBS	44.76
			6/14/22	146910-REDI-MIX 80LB BAG (	9.18
			6/14/22	146969-REDI-MIX 80LB BAG (	9.18
			6/14/22	147055-KEYS, KEY RINGS	10.46
			6/14/22	147150-CAP SLIP, PVC40, GLUE	31.17
			6/14/22	147220-PIPE WRENCH 24"	52.99
			6/14/22	147220-YARDSTICK, NIPPLE GA	21.27
			6/14/22	147272-FAN 30" AIR CIRCULA	399.99
			6/14/22	147279-PIPE PVC SCH40	12.50
		NEIL TECHNICAL SERVICES CORP.	6/14/22	SHADOW SPR L/S RPL TRANS S	2,700.00
		DXI INDUSTRIES, INC.	6/27/22	chlorine	195.98
			6/14/22	DXI INDUSTRIES, CHLORINE 1	220.00
		USA BLUE BOOK	6/14/22	HR SAMPLE CELLS, WIRE MESH	534.29
			6/14/22	SODIUM ARSENITE, POTASSIUM	54.84
			6/14/22	FREIGHT ON USA BLUE BOOK S	70.35
		TYLERWORKS, INCODE DIVISION	6/14/22	ERP PRO 9 UTILITY SVC ORDE	150.00
		LOWE'S HOME CENTER, INC.	6/14/22	KBLT 7-PC SAE/MM XACC NUT	62.66
			6/14/22	ELBOWS, CPLNGS, ADAPTERS, PVC	278.28
			6/14/22	15-OZ SP SAFETY BLUE PRO	39.78
		TRACTOR SUPPLY COMPANY	6/16/22	5HP PUMP-WWTP	499.99
			6/16/22	WWTP-COULER	8.49
		ALWAYS ANSWER	6/14/22	BASE RATE JUNE/MINUTES MAY	107.00
			6/14/22	BASE RATE JUNE/MINUTES MAY	<u>107.00</u>
			TOTAL:		200,630.90
NON-DEPARTMENTAL	CAPITAL PROJ-ENTER	A.E.I. ENGINEERING, A BAXTER WOODMAN C	6/14/22	INV 0235150-WATER WELL #8	<u>6,000.00</u>
			TOTAL:		6,000.00
DEBT SVC-ENTERPRISE	CAPITAL PROJ-ENTER	TERRACON CONSULTANTS, INC	6/14/22	WWTP EXPANSION THRU 5/21/2	2,650.50
		STRAND ASSOCIATES, INC	6/27/22	WWTP & SEWER CONSTR MARCH	7,304.85
			6/27/22	RPR SERVICES MARCH 2022	1,775.21
			6/27/22	FM 1488 FORCE MAIN RELOC-M	6,451.25
			6/27/22	WWTP-EXPAN & SWR CLOSE	15,653.25
			6/27/22	FM 1488 FORCE MAIN RELOC	11,442.47
		A.E.I. ENGINEERING, A BAXTER WOODMAN C	6/14/22	INV 0235130-WATER PLANT #3	18,600.00
			6/14/22	INV 0235144-FM1488 FORCE M	9,393.89
		BALLAST POINT CONSTRUCTION, INC	6/28/22	NICHOL SAWMILL PHS 3	500,055.78
		SP, ELS HOLDINGS, LLC	6/27/22	WINDROSE	<u>1,595.00</u>
			TOTAL:		574,922.20
4B / COMMUNITY DEV.	4B COMMUNITY DEV.	AMERICAN EXPRESS	6/27/22	LUNCHEON	30.00
		LEONARD V SCHNEIDER IV dba	6/09/22	LEONARD V SCHNEIDER INV 22	925.00
		STEELE, RACHEL	6/09/22	INVOICE 131 MAY 2022	4,583.33
		BIG ASS HOLDING, LLC	6/09/22	ENGINEERING/INSTALLATION O	<u>7,300.00</u>
			TOTAL:		12,838.33
4A / ECONOMIC DEV.	4A ECONOMIC DEV.	AMERICAN EXPRESS	6/27/22	LUNCHEON	30.00
		LEONARD V SCHNEIDER IV dba	6/09/22	LEONARD V SCHNEIDER INV 22	610.50

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
		A.E.I. ENGINEERING, A BAXTER WOODMAN C	6/14/22	INV 0235129 WATER PLANT#3	6,500.00
			6/14/22	PROJ 212215.30 FM 1774 W/S	13,383.75
		STEELE, RACHEL	6/09/22	INVOICE 130 - MAY 2022	4,583.33
			6/09/22	STEELE, RACHEL 130-1 REI F	55.00
			6/09/22	STEELE, RACHEL 130-1 REI M	48.19
		ADIM MEDIA, LLC	6/09/22	MEDIA MGMT PRORATED 52 DAY	3,466.84
			6/09/22	OUTREACH & DEVELOPMENT	1,040.00
			6/09/22	WEBSITE UPDATES	1,750.00
			6/09/22	VIDEO PRODUCTIONS	<u>1,500.00</u>
			TOTAL:		32,967.61
ATS-RED LIGHT CAMERA	ATS-RED LIGHT CAME	MIDTEX OIL, L.P.	6/14/22	MIDTEX OIL, L.P.6/2022	<u>7,324.38</u>
			TOTAL:		7,324.38
MC TECHNOLOGY FUND	MC TECHNOLOGY FUND	LEXISNEXIS RISK SOLUTIONS	6/14/22	LEXISNEXIS RISK SOL MAY 20	93.50
		CERTIFIED LANGUAGES INTERNATIONAL	6/14/22	CERTIFIED LANGUAGES MAY 20	10.00
		GREATAMERICAN FINANCIAL SRVCS	6/14/22	GREATAMERICAN FIN SVCS-COU	226.66
		SKELTON BUSINESS EQUIPMENT	6/16/22	COURT COLOR COPIES	127.80
			6/16/22	COURT B/W COPIES	<u>32.31</u>
			TOTAL:		490.27

===== FUND TOTALS =====

01	GENERAL FUND	295,815.93
02	WATER	319,770.18
04	CAPITAL PROJ-ENTERPRISE	580,922.20
06	4B COMMUNITY DEV.	12,838.33
07	4A ECONOMIC DEV.	32,967.61
10	ATS-RED LIGHT CAMERA	7,324.38
19	MC TECHNOLOGY FUND	490.27

GRAND TOTAL:	1,250,128.90
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TOTAL PAGES: 10

APPROVED BY: _____

APPROVED BY: _____

APPROVED BY: _____

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>						
	REVENUE	0.00	0.00	(3,140.25)	0.00	3,140.25
	GENERAL AND ADMINISTRATIV	3,447,139.98	1,028,882.71	5,249,939.86	152.30	(1,802,799.88)
	POLICE	4,000.00	(2,100.00)	24,580.49	614.51	(20,580.49)
	COURTS	340,500.00	28,654.90	258,492.75	75.92	82,007.25
	INTRA-FUND TRANSFERS IN	<u>665,603.00</u>	<u>677.79</u>	<u>8,054.39</u>	<u>1.21</u>	<u>657,548.61</u>
***	TOTAL REVENUES ***	4,457,242.98	1,056,115.40	5,537,927.24	124.25	(1,080,684.26)
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	CITY HALL / ADMIN	1,231,974.63	136,156.78	837,279.80	67.96	394,694.83
	POLICE	1,610,435.64	91,209.12	1,169,709.22	72.63	440,726.42
	PUBLIC WORKS	860,526.87	84,735.65	712,198.62	82.76	148,328.25
	MUNICIPAL COURT	180,443.91	11,732.17	138,116.05	76.54	42,327.86
	FINANCE	165,954.43	9,438.17	110,706.73	66.71	55,247.70
	CITY SECRETARY	128,125.67	7,199.91	74,564.79	58.20	53,560.88
	FACILITES	152,414.35	8,642.18	130,399.76	85.56	22,014.59
	CITY COUNCIL	35,120.00	188.00	21,383.43	60.89	13,736.57
	PARKS	<u>64,500.00</u>	<u>3,289.29</u>	<u>42,741.31</u>	<u>66.27</u>	<u>21,758.69</u>
***	TOTAL EXPENDITURES ***	4,429,495.50	352,591.27	3,237,099.71	73.08	1,192,395.79
		=====	=====	=====	=====	=====
***	REVENUES OVER/(UNDER) EXPENDITURES *	27,747.48	703,524.13	2,300,827.53	292.02	(2,273,080.05)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
40016	GRANT 4269 & 4272- APRIL 2016	0.00	0.00	(3,140.25)	0.00	3,140.25
	TOTAL REVENUE	0.00	0.00	(3,140.25)	0.00	3,140.25

GENERAL AND ADMINISTRATIV

40102	Gen/Admin. Donations	0.00	0.00	600.00	0.00	(600.00)
40102.06	COMMUNITY EVENTS	0.00	0.00	20,127.93	0.00	(20,127.93)
40104	Liquor License Fee	500.00	87.50	175.00	35.00	325.00
40105	Ad Valorem Tax Revenue	426,139.98	(3,117.85)	444,614.72	104.34	(18,474.74)
40107	Mix Beverage Tax Revenue	25,000.00	2,965.99	23,480.59	93.92	1,519.41
40109	HB 445 1/4 % Sales Tax	0.00	0.00	(1,000.00)	0.00	1,000.00
40110	Wrecker Permit Fees	1,000.00	0.00	0.00	0.00	1,000.00
40114	4B Sales Tax Revenue 1/4	0.00	0.00	1,000.00	0.00	(1,000.00)
40115	Misc.-Tax Assessor-Collector	0.00	0.00	164.23	0.00	(164.23)
40116	Sales Tax Revenue	1,800,000.00	234,608.67	1,983,391.04	110.19	(183,391.04)
40116.01	CONTRA SALES TAX ABATEMENTS	0.00	0.00	(399,340.24)	0.00	399,340.24
40117	Misc. Income	5,000.00	1,772.09	56,108.40	122.17	(51,108.40)
40117.01	UNITY PARK RENTAL	4,000.00	2,420.00	3,755.78	93.89	244.22
40118	License and Permits	900,000.00	786,299.11	2,895,693.97	321.74	(1,995,693.97)
40119	Sign Permit Revenue	2,500.00	320.00	5,360.00	214.40	(2,860.00)
40120	Franchise Tax Revenue	260,000.00	677.20	187,383.44	72.07	72,616.56
40120.01	IN KIND FRANCHISE INCOME	4,000.00	0.00	0.00	0.00	4,000.00
40133	Plat Fee Revenue	15,000.00	2,850.00	28,425.00	189.50	(13,425.00)
40199	DELINQ PROP TAX/PENALTIES/INT	4,000.00	0.00	0.00	0.00	4,000.00
	TOTAL GENERAL AND ADMINISTRATIV	3,447,139.98	1,028,882.71	5,249,939.86	152.30	(1,802,799.88)

POLICE

40203	Police Department Donations	0.00	0.00	2,500.00	0.00	(2,500.00)
40204	Police Dept- Grants	0.00	0.00	7,500.00	0.00	(7,500.00)
40223	SEIZED POLICE PROPERTY	2,000.00	0.00	0.00	0.00	2,000.00
40224	Asset Forfeitures	2,000.00	(2,100.00)	14,580.49	729.02	(12,580.49)
	TOTAL POLICE	4,000.00	(2,100.00)	24,580.49	614.51	(20,580.49)

STREETS

COURTS

40401	Summoning Jury Fee	0.00	8.82	8.82	0.00	(8.82)
40402	Indigent Defense Fee Income	0.00	18.00	18.00	0.00	(18.00)
40403	Judicial Fee / City	0.00	5.40	5.40	0.00	(5.40)
40404	Judicial Fee / County	0.00	50.10	50.10	0.00	(50.10)
40405	State Jury Fee	0.00	36.00	36.00	0.00	(36.00)
40407	OMNI Revenue	2,000.00	548.00	1,762.67	88.13	237.33
40409	Warrant Fee Revenue	20,000.00	637.09	13,576.93	67.88	6,423.07
40410	Traffic Fine Revenue	250,000.00	20,880.36	184,600.17	73.84	65,399.83
40413	Bond Escrow/Bond Refund	35,000.00	279.03	30,328.56	86.65	4,671.44
40414	C.O.L.A.G.Y.	32,000.00	630.07	18,084.34	56.51	13,915.66
40416	Child Safety (School Zone)	0.00	75.00	187.50	0.00	(187.50)
40417	Civil Justice Fee	0.00	0.45	0.45	0.00	(0.45)

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
40418	Arrest Fees	0.00	550.84	550.84	0.00	(550.84)
40423	Bond	0.00	4,405.90	2,989.15	0.00	(2,989.15)
40424	Truancy Prevention Fund-City	1,500.00	518.84	6,282.82	418.85	(4,782.82)
40425	Truancy Prevention Fund-State	<u>0.00</u>	<u>11.00</u>	<u>11.00</u>	<u>0.00</u>	<u>(11.00)</u>
TOTAL COURTS		340,500.00	28,654.90	258,492.75	75.92	82,007.25
<u>COPS UNIVERSAL</u>						
<u>COMPUTERS AND CIVILIANS</u>						
<u>CITY MARSHALL</u>						
<u>PROJECT REVENUE</u>						
<u>RESTRICTED ACCOUNTS</u>						
<u>INTRA-FUND TRANSFERS IN</u>						
49902	Intra-Fund Transfer (02)	596,503.00	0.00	0.00	0.00	596,503.00
49906	Intra-Fund Transfer 4B (06)	35,198.00	480.93	5,407.54	15.36	29,790.46
49907	Intra-Fund Transfer 4A (07)	<u>33,902.00</u>	<u>196.86</u>	<u>2,646.85</u>	<u>7.81</u>	<u>31,255.15</u>
TOTAL INTRA-FUND TRANSFERS IN		665,603.00	677.79	8,054.39	1.21	657,548.61
*** TOTAL REVENUE ***						
		4,457,242.98	1,056,115.40	5,537,927.24	124.25	(1,080,684.26)
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AS OF: JUNE 30TH, 2022

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
	<u>I & S PAYMENTS</u>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	<u>MISCELLANIOUS EXPENSES</u>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	<u>EXPENSES (Continued)</u>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
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FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

CITY HALL / ADMIN

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
501501	Salaries	211,700.00	11,933.45	119,570.64	56.48	92,129.36
501502	Car Allowance	6,000.00	461.54	4,384.63	73.08	1,615.37
501503	Overtime	0.00	138.40	209.73	0.00	(209.73)
501506	Salary 4B	30,698.00	0.00	80.77	0.26	30,617.23
501507	Salary 4A	31,802.00	0.00	80.77	0.25	31,721.23
501515	Longevity	115.00	0.00	145.00	126.09	(30.00)
501516	T.E.C.	540.00	0.00	488.00	90.37	52.00
501517	T.M.R.S.	12,526.96	598.80	6,127.51	48.91	6,399.45
501518	Worker's Comp.	656.13	0.00	268.98	40.99	387.15
501526	Insurance (Med/Den/Life/Vis.)	24,007.44	0.00	22,006.82	91.67	2,000.62
501536	Payroll Tax (F.I.C.A.)	20,105.35	889.49	8,862.41	44.08	11,242.94
501543	Educ., Travel & Cert.	3,000.00	0.00	544.00	18.13	2,456.00
501547	Drug Test	100.00	0.00	0.00	0.00	100.00
501550	Dues & Memberships	<u>1,580.00</u>	<u>0.00</u>	<u>1,526.20</u>	<u>96.59</u>	<u>53.80</u>
TOTAL PERSONNEL SERVICES		342,830.88	14,021.68	164,295.46	47.92	178,535.42

CONTRACTUAL EXPENSES

501625	Maintenance & Repair Vehicles	2,000.00	0.00	108.48	5.42	1,891.52
501629	Inspection Services	240,000.00	69,395.99	282,434.98	117.68	(42,434.98)
501632	Consultant/Contract Services	53,700.00	9,292.75	39,326.25	73.23	14,373.75
501632.01	Contract-ST9 380 Agreement	300,000.00	0.00	0.00	0.00	300,000.00
501632.05	Contract-Realtor's Commission	35,000.00	0.00	0.00	0.00	35,000.00
501640	Legal	80,000.00	11,116.30	71,413.50	89.27	8,586.50
501640.02	LEGAL - TX LEGISLATURE MONITO	30,000.00	0.00	0.00	0.00	30,000.00
501641	Accounting	18,135.00	0.00	8,000.00	44.11	10,135.00
501643	Engineering	10,000.00	25,292.84	188,630.76	886.31	(178,630.76)
501670	Rental of Office Equipment	6,200.00	461.59	4,032.05	65.03	2,167.95
501673	Computer Software (S/W)	50,998.75	1,313.86	43,697.55	85.68	7,301.20
501677	Computer Asst (IT Services)	<u>15,000.00</u>	<u>365.00</u>	<u>5,112.50</u>	<u>34.08</u>	<u>9,887.50</u>
TOTAL CONTRACTUAL EXPENSES		841,033.75	117,238.33	642,756.07	76.42	198,277.68

MISCELLANEOUS EXPENSES

501744	Minor Equipment	1,000.00	0.00	1,684.00	168.40	(684.00)
501766	Office Supplies	5,000.00	167.08	3,240.73	64.81	1,759.27
501768	Planning Comm. Expenses	15,900.00	3,453.18	9,394.65	59.09	6,505.35
501774	Phones & Communication Equip.	960.00	0.00	388.60	40.48	571.40
501775	Ref. Books, Reports, Subscrip	1,000.00	0.00	179.63	17.96	820.37
501778	Flower Fund	750.00	0.00	40.56	5.41	709.44
501779	Morale/Welfare	<u>1,000.00</u>	<u>79.26</u>	<u>686.19</u>	<u>68.62</u>	<u>313.81</u>
TOTAL MISCELLANEOUS EXPENSES		25,610.00	3,699.52	15,614.36	60.97	9,995.64

EXPENSES (Continued)

501800	Bank Fees	2,000.00	98.36	425.72	21.29	1,574.28
501806	City Administrator's Fund	3,000.00	533.77	2,192.14	73.07	807.86
501807	Community Special Events	14,000.00	0.00	606.12	4.33	13,393.88
501807.06	COMMUNITY EVENTS	0.00	0.00	8,559.57	0.00	(8,559.57)
501810	Advertising	0.00	260.40	260.40	0.00	(260.40)

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

CITY HALL / ADMIN

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
501833	Postage	<u>3,500.00</u>	<u>304.72</u>	<u>2,569.96</u>	<u>73.43</u>	<u>930.04</u>
	TOTAL EXPENSES (Continued)	22,500.00	1,197.25	14,613.91	64.95	7,886.09
	<u>CAPITAL EXPENSES</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	TOTAL CITY HALL / ADMIN	1,231,974.63	136,156.78	837,279.80	67.96	394,694.83
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FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

POLICE

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
502501	Salaries	1,032,060.00	72,320.27	705,912.62	68.40	326,147.38
502503	Overtime	29,000.00	2,833.27	29,965.06	103.33 (	965.06)
502515	Longevity	6,525.00	0.00	6,340.00	97.16	185.00
502516	T.E.C.	3,240.00	0.00	410.51	12.67	2,829.49
502517	T.M.R.S.	52,098.15	3,540.46	37,772.05	72.50	14,326.10
502518	Worker's Comp.	22,000.00	0.00	19,079.92	86.73	2,920.08
502526	Insurance (Med/Den/Life/Vis.)	204,063.24	0.00	148,648.75	72.84	55,414.49
502536	Payroll Tax (F.I.C.A.)	81,670.25	5,582.86	55,456.37	67.90	26,213.88
502543	Educ., Travel & Cert.	15,000.00	1,384.66	18,752.95	125.02 (	3,752.95)
502544	State P.D. Education	0.00	0.00	1,010.22	0.00 (	1,010.22)
502547	Drug Test	1,200.00	35.00	489.00	40.75	711.00
502550	Dues, Promotions & Membership	<u>3,333.95</u>	<u>868.99</u>	<u>4,001.88</u>	<u>120.03</u>	<u>(667.93)</u>
TOTAL PERSONNEL SERVICES		1,450,190.59	86,565.51	1,027,839.33	70.88	422,351.26
<u>CONTRACTUAL EXPENSES</u>						
502604	Police Department Cell Phones	9,000.00	0.00	5,824.49	64.72	3,175.51
502625	Maintenance & Repair/Vehicles	28,000.00	1,080.02	32,912.83	117.55 (	4,912.83)
502630	Outside Services	2,500.00	0.00	11,877.16	475.09 (	9,377.16)
502634	Maint. & Repair Office Equip.	500.00	0.00	0.00	0.00	500.00
502637	Radios	4,012.00	0.00	4,012.36	100.01 (	0.36)
502670	Copy Machine / Lease of O.E.	4,000.00	287.53	2,568.47	64.21	1,431.53
502673	Computer Software	27,898.40	1,046.53	18,742.85	67.18	9,155.55
502677	IT Services	<u>14,000.00</u>	<u>1,065.00</u>	<u>9,955.84</u>	<u>71.11</u>	<u>4,044.16</u>
TOTAL CONTRACTUAL EXPENSES		89,910.40	3,479.08	85,894.00	95.53	4,016.40
<u>MISCELLANIOUS EXPENSES</u>						
502744	Minor Equipment	10,844.65	0.00	5,313.55	49.00	5,531.10
502760	Fuel	0.00	48.88	809.61	0.00 (	809.61)
502762	Uniforms & Badges	9,500.00	481.98	14,112.90	148.56 (	4,612.90)
502766	Office Supplies	7,200.00	535.06	7,585.24	105.35 (	385.24)
502769	Evidence Supplies	2,500.00	98.61	2,020.60	80.82	479.40
502770	Special Operations	<u>1,500.00</u>	<u>0.00</u>	<u>1,962.99</u>	<u>130.87</u>	<u>(462.99)</u>
TOTAL MISCELLANIOUS EXPENSES		31,544.65	1,164.53	31,804.89	100.82 (	260.24)
<u>EXPENSES (Continued)</u>						
502827	Fleet Insurance - TML	21,000.00	0.00	13,663.50	65.06	7,336.50
502828	Law Enforcement Liability	12,000.00	0.00	7,867.50	65.56	4,132.50
502833	Postage	<u>200.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>200.00</u>
TOTAL EXPENSES (Continued)		33,200.00	0.00	21,531.00	64.85	11,669.00
<u>CAPITAL EXPENSES</u>						
502922	Tasers	2,640.00	0.00	2,640.00	100.00	0.00
502924	Safety Vests	<u>2,950.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>2,950.00</u>
TOTAL CAPITAL EXPENSES		5,590.00	0.00	2,640.00	47.23	2,950.00
<u>TOTAL POLICE</u>						
TOTAL POLICE		1,610,435.64	91,209.12	1,169,709.22	72.63	440,726.42
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FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

PUBLIC WORKS

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
503501	Salary	401,493.00	39,328.72	331,347.60	82.53	70,145.40
503503	Overtime	10,000.00	1,134.84	13,961.37	139.61	(3,961.37)
503506	SALARY 4B	0.00	52.53	52.53	0.00	(52.53)
503515	Longevity	845.00	0.00	755.00	89.35	90.00
503516	T.E.C.	1,980.00	0.00	1,612.98	81.46	367.02
503517	T.M.R.S.	20,122.09	2,004.44	16,941.81	84.20	3,180.28
503518	Worker's Comp.	10,000.00	0.00	8,116.14	81.16	1,883.86
503526	Insurance (Med/Den/Life/Vis.)	132,040.92	0.00	104,250.17	78.95	27,790.75
503536	Payroll Tax (F.I.C.A.)	31,543.86	3,081.72	26,160.61	82.93	5,383.25
503543	Educ., Travel & Cert.	5,000.00	325.00	2,905.00	58.10	2,095.00
503547	Drug Test	<u>500.00</u>	<u>70.00</u>	<u>385.00</u>	<u>77.00</u>	<u>115.00</u>
TOTAL PERSONNEL SERVICES		613,524.87	45,997.25	506,488.21	82.55	107,036.66
<u>CONTRACTUAL EXPENSES</u>						
503604	Electric (Street Lights)	35,000.00	2,535.71	28,387.16	81.11	6,612.84
503605	Cell Phones	5,280.00	0.00	3,276.17	62.05	2,003.83
503625	Maintenance & Repair/Vehicle	8,000.00	4,189.90	15,038.70	187.98	(7,038.70)
503632	Contract/Consulting Services	4,500.00	0.00	1,100.00	24.44	3,400.00
503633	Maint & Repair Equip.-Heavy	4,000.00	44.65	3,196.92	79.92	803.08
503650	Mowing	20,000.00	57.28	4,787.44	23.94	15,212.56
503655	Street Signs & Flags	3,000.00	478.50	1,461.14	48.70	1,538.86
503663	Rental of Equipment	<u>3,000.00</u>	<u>0.00</u>	<u>350.00</u>	<u>11.67</u>	<u>2,650.00</u>
TOTAL CONTRACTUAL EXPENSES		82,780.00	7,306.04	57,597.53	69.58	25,182.47
<u>MISCELLANIOUS EXPENSES</u>						
503700	Gen Supplies	8,000.00	808.57	5,108.44	63.86	2,891.56
503744	Minor Tools & Equipment	13,000.00	1,136.88	17,355.02	133.50	(4,355.02)
503749	Street Supplies	1,000.00	0.00	0.00	0.00	1,000.00
503760	Fuel	35,000.00	3,139.02	23,037.29	65.82	11,962.71
503761	Tires and Tubes	3,000.00	0.00	1,600.00	53.33	1,400.00
503762	Uniforms & Badges	<u>9,500.00</u>	<u>977.89</u>	<u>8,668.23</u>	<u>91.24</u>	<u>831.77</u>
TOTAL MISCELLANIOUS EXPENSES		69,500.00	6,062.36	55,768.98	80.24	13,731.02
<u>EXPENSES (Continued)</u>						
503827	Fleet Insurance - TML	<u>10,000.00</u>	<u>0.00</u>	<u>5,416.50</u>	<u>54.17</u>	<u>4,583.50</u>
TOTAL EXPENSES (Continued)		10,000.00	0.00	5,416.50	54.17	4,583.50
<u>CAPITAL EXPENSES</u>						
503940	Mowers & Edgers	0.00	0.00	7,202.40	0.00	(7,202.40)
503945	Other Equipment	0.00	0.00	25,930.00	0.00	(25,930.00)
503951	Motor Vehicles	<u>84,722.00</u>	<u>25,370.00</u>	<u>53,795.00</u>	<u>63.50</u>	<u>30,927.00</u>
TOTAL CAPITAL EXPENSES		84,722.00	25,370.00	86,927.40	102.60	(2,205.40)
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TOTAL PUBLIC WORKS		860,526.87	84,735.65	712,198.62	82.76	148,328.25
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FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

MUNICIPAL COURT

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
504501	Salaries	64,272.00	6,788.00	57,591.62	89.61	6,680.38
504503	Overtime	0.00	124.15	124.15	0.00	(124.15)
504515	Longevity	95.00	0.00	105.00	110.53	(10.00)
504516	T.E.C.	360.00	0.00	50.04	13.90	309.96
504517	T.M.R.S.	3,141.11	331.37	2,840.09	90.42	301.02
504518	Worker's Comp.	164.28	0.00	120.66	73.45	43.62
504526	Insurance (Med/Den/Life/Vis.)	24,007.44	0.00	18,956.88	78.96	5,050.56
504536	Payroll Tax (F.I.C.A.)	4,924.08	528.78	4,382.57	89.00	541.51
504543	Educ.,Travel & Cert.	2,000.00	111.54	1,086.54	54.33	913.46
504547	Drug Test	50.00	0.00	0.00	0.00	50.00
504550	Dues & Memberships	<u>230.00</u>	<u>0.00</u>	<u>295.00</u>	<u>128.26</u>	<u>(65.00)</u>
TOTAL PERSONNEL SERVICES		99,243.91	7,883.84	85,552.55	86.20	13,691.36
<u>CONTRACTUAL EXPENSES</u>						
504632	Contract/Outside Services	13,000.00	1,000.00	8,000.00	61.54	5,000.00
504640	Legal	12,000.00	0.00	4,500.00	37.50	7,500.00
504670	RENTAL OF OFFICE EQUIPMENT	1,000.00	0.00	0.00	0.00	1,000.00
504673	Computer Software & Support	12,200.00	2,100.00	13,827.85	113.34	(1,627.85)
504677	Computer Asst. / IT Services	<u>2,000.00</u>	<u>0.00</u>	<u>2,156.25</u>	<u>107.81</u>	<u>(156.25)</u>
TOTAL CONTRACTUAL EXPENSES		40,200.00	3,100.00	28,484.10	70.86	11,715.90
<u>MISCELLANIOUS EXPENSES</u>						
504766	Office Supplies	2,500.00	244.33	3,096.24	123.85	(596.24)
504769	Office Equipment	2,500.00	0.00	2,413.99	96.56	86.01
504775	Ref. Books, Reports, Subscrip	<u>300.00</u>	<u>0.00</u>	<u>50.00</u>	<u>16.67</u>	<u>250.00</u>
TOTAL MISCELLANIOUS EXPENSES		5,300.00	244.33	5,560.23	104.91	(260.23)
<u>EXPENSES (Continued)</u>						
504800	Bank Fees	500.00	0.00	0.00	0.00	500.00
504803	Over/Short Cash	0.00	0.00	48.40	0.00	(48.40)
504810	Court Jurors	200.00	0.00	0.00	0.00	200.00
504812	OMNI	0.00	504.00	504.00	0.00	(504.00)
504814	C.O.L.A.G.Y.	33,000.00	0.00	16,332.88	49.49	16,667.12
504833	Postage	<u>2,000.00</u>	<u>0.00</u>	<u>1,633.89</u>	<u>81.69</u>	<u>366.11</u>
TOTAL EXPENSES (Continued)		35,700.00	504.00	18,519.17	51.87	17,180.83
<u>CAPITAL EXPENSES</u>						
TOTAL MUNICIPAL COURT		180,443.91	11,732.17	138,116.05	76.54	42,327.86

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

FINANCE

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
505501	Salary	102,562.00	6,700.94	64,517.36	62.91	38,044.64
505503	Overtime	12,000.00	1,556.16	9,893.84	82.45	2,106.16
505506	SALARY 4B	2,400.00	184.62	1,753.89	73.08	646.11
505515	Longevity	900.00	0.00	900.00	100.00	0.00
505516	T.E.C.	540.00	0.00	15.28	2.83	524.72
505517	T.M.R.S.	3,897.27	303.21	3,017.62	77.43	879.65
505518	Worker's Comp	350.00	0.00	216.63	61.89	133.37
505526	Insurance (Med/Den/Life/Vis.)	12,003.72	0.00	9,002.79	75.00	3,000.93
505536	Payroll Tax (F.I.C.A.)	9,016.44	643.24	5,869.80	65.10	3,146.64
505543	Educ., Travel & Cert.	1,000.00	0.00	530.00	53.00	470.00
505547	Drug Test	35.00	0.00	0.00	0.00	35.00
505550	Dues & Memberships	<u>250.00</u>	<u>0.00</u>	<u>212.33</u>	<u>84.93</u>	<u>37.67</u>
TOTAL PERSONNEL SERVICES		144,954.43	9,388.17	95,929.54	66.18	49,024.89
<u>CONTRACTUAL EXPENSES</u>						
505644	Appraisal District Fee	<u>9,000.00</u>	<u>0.00</u>	<u>6,717.73</u>	<u>74.64</u>	<u>2,282.27</u>
TOTAL CONTRACTUAL EXPENSES		9,000.00	0.00	6,717.73	74.64	2,282.27
<u>MISCELLANIOUS EXPENSES</u>						
505766	Office Supplies	1,000.00	0.00	356.62	35.66	643.38
505769	Office Equipment	3,000.00	0.00	0.00	0.00	3,000.00
505775	Ref. Books, Reports, Subscrip	<u>200.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>200.00</u>
TOTAL MISCELLANIOUS EXPENSES		4,200.00	0.00	356.62	8.49	3,843.38
<u>EXPENSES (Continued)</u>						
505800	Bank Fees	300.00	0.00	319.50	106.50	(19.50)
505820	Surety & Fidelity Bonds	<u>7,500.00</u>	<u>50.00</u>	<u>7,383.34</u>	<u>98.44</u>	<u>116.66</u>
TOTAL EXPENSES (Continued)		7,800.00	50.00	7,702.84	98.75	97.16
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TOTAL FINANCE		165,954.43	9,438.17	110,706.73	66.71	55,247.70
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FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

CITY SECRETARY

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
506501	Salary	66,950.00	5,150.00	48,925.00	73.08	18,025.00
506505	CELL PHONE ALLOWANCE	300.00	23.08	219.26	73.09	80.74
506506	Salary 4B	2,100.00	161.54	1,453.86	69.23	646.14
506507	Salary 4A	2,100.00	161.54	1,453.86	69.23	646.14
506515	Longevity	65.00	0.00	65.00	100.00	0.00
506516	T.E.C.	180.00	0.00	9.00	5.00	171.00
506517	T.M.R.S.	3,489.93	266.02	2,688.34	77.03	801.59
506518	Workers Comp.	171.12	0.00	49.80	29.10	121.32
506526	Insurance (Med/Den/Life/Vis.)	12,003.72	0.00	9,002.79	75.00	3,000.93
506536	Payroll Tax (F.I.C.A.)	5,470.90	420.46	3,986.98	72.88	1,483.92
506543	Educ., Travel & Cert.	1,000.00	597.27	2,667.76	266.78	(1,667.76)
506550	Dues & Memberships	<u>495.00</u>	<u>0.00</u>	<u>290.00</u>	<u>58.59</u>	<u>205.00</u>
TOTAL PERSONNEL SERVICES		94,325.67	6,779.91	70,811.65	75.07	23,514.02
<u>CONTRACTUAL EXPENSES</u>						
506673	COMPUTER SOFTWARE (S/W)	1,000.00	0.00	230.42	23.04	769.58
506674	Posting & Advertising	<u>10,000.00</u>	<u>0.00</u>	<u>1,657.97</u>	<u>16.58</u>	<u>8,342.03</u>
TOTAL CONTRACTUAL EXPENSES		11,000.00	0.00	1,888.39	17.17	9,111.61
<u>MISCELLANIOUS EXPENSES</u>						
506769	Office Equipment	1,000.00	0.00	0.00	0.00	1,000.00
506773	Cost of Election	21,000.00	0.00	965.75	4.60	20,034.25
506775	Magazines, Maps & Books	<u>300.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>300.00</u>
TOTAL MISCELLANIOUS EXPENSES		22,300.00	0.00	965.75	4.33	21,334.25
<u>EXPENSES (Continued)</u>						
506834	Recording Fees	<u>500.00</u>	<u>420.00</u>	<u>899.00</u>	<u>179.80</u>	<u>(399.00)</u>
TOTAL EXPENSES (Continued)		500.00	420.00	899.00	179.80	(399.00)
<u>CAPITAL EXPENSES</u>						
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TOTAL CITY SECRETARY		128,125.67	7,199.91	74,564.79	58.20	53,560.88
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FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

FACILITES

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
I & S PAYMENTS						
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<u>CONTRACTUAL EXPENSES</u>						
509603	Utilities / Electric	23,000.00	1,750.55	12,720.15	55.31	10,279.85
509605	Telephone & Internet	18,000.00	2,944.26	15,565.23	86.47	2,434.77
509632	Contractual Services	2,000.00	0.00	640.19	32.01	1,359.81
509633	Building/Grounds Maintenance	8,000.00	62.91	18,979.80	237.25	(10,979.80)
509634	Heat/AC	4,000.00	1,665.00	2,510.00	62.75	1,490.00
509650	MOWING	0.00	0.00	2,243.94	0.00	(2,243.94)
509671	Janitorial Services / Cleanin	<u>15,000.00</u>	<u>1,350.00</u>	<u>10,195.23</u>	<u>67.97</u>	<u>4,804.77</u>
TOTAL CONTRACTUAL EXPENSES		70,000.00	7,772.72	62,854.54	89.79	7,145.46
 <u>MISCELLANIOUS EXPENSES</u>						
509700	Supplies (Misc.)	15,000.00	869.46	10,493.94	69.96	4,506.06
509744	Minor Equipment	<u>2,000.00</u>	<u>0.00</u>	<u>3,846.38</u>	<u>192.32</u>	<u>(1,846.38)</u>
TOTAL MISCELLANIOUS EXPENSES		17,000.00	869.46	14,340.32	84.35	2,659.68
 <u>EXPENSES (Continued)</u>						
509826	Building Insurance	<u>3,000.00</u>	<u>0.00</u>	<u>2,250.12</u>	<u>75.00</u>	<u>749.88</u>
TOTAL EXPENSES (Continued)		3,000.00	0.00	2,250.12	75.00	749.88
 <u>CAPITAL EXPENSES</u>						
509920	Capital-Computer Equipment	11,000.00	0.00	0.00	0.00	11,000.00
509950	Capital-Building Improvements	<u>51,414.35</u>	<u>0.00</u>	<u>50,954.78</u>	<u>99.11</u>	<u>459.57</u>
TOTAL CAPITAL EXPENSES		62,414.35	0.00	50,954.78	81.64	11,459.57
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TOTAL FACILITES		152,414.35	8,642.18	130,399.76	85.56	22,014.59
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

01 -GENERAL FUND

CITY COUNCIL

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
510526	Insurance (Med,Dental,Vision)	25,190.00	0.00	18,591.48	73.81	6,598.52
510543	Educ., Travel & Cert.	<u>2,500.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>2,500.00</u>
TOTAL PERSONNEL SERVICES		27,690.00	0.00	18,591.48	67.14	9,098.52
<u>CONTRACTUAL EXPENSES</u>						
510604	CELL PHONES	2,880.00	0.00	1,309.43	45.47	1,570.57
510642	Dues & Memberships	<u>400.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>400.00</u>
TOTAL CONTRACTUAL EXPENSES		3,280.00	0.00	1,309.43	39.92	1,970.57
<u>MISCELLANIOUS EXPENSES</u>						
510744	Minor Equipment	2,000.00	0.00	0.00	0.00	2,000.00
510766	Office Supplies	<u>350.00</u>	<u>188.00</u>	<u>238.00</u>	<u>68.00</u>	<u>112.00</u>
TOTAL MISCELLANIOUS EXPENSES		2,350.00	188.00	238.00	10.13	2,112.00
<u>EXPENSES (Continued)</u>						
510879	Elected Officials Ins. -TML	<u>1,800.00</u>	<u>0.00</u>	<u>1,244.52</u>	<u>69.14</u>	<u>555.48</u>
TOTAL EXPENSES (Continued)		1,800.00	0.00	1,244.52	69.14	555.48
<u>CAPITAL EXPENSES</u>						
TOTAL CITY COUNCIL						
		35,120.00	188.00	21,383.43	60.89	13,736.57
		=====	=====	=====	=====	=====

01 -GENERAL FUND

PARKS

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
PERSONNEL SERVICES						
<hr/>						
CONTRACTUAL EXPENSES						
511603	Utilities/Electric	3,500.00	220.53	2,060.53	58.87	1,439.47
511632	Contractual Services/Parks	3,000.00	0.00	0.00	0.00	3,000.00
511633	Grounds Maintenance	15,000.00	2,662.03	12,514.18	83.43	2,485.82
511634	Building Maintenance	2,500.00	102.79	1,624.97	65.00	875.03
511650	Mowing	30,000.00	265.96	6,775.28	22.58	23,224.72
511663	RENTAL OF EQUIPMENT	<u>3,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>3,000.00</u>
TOTAL CONTRACTUAL EXPENSES		57,000.00	3,251.31	22,974.96	40.31	34,025.04
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MISCELLANIOUS EXPENSES						
511700	Supplies	2,000.00	37.98	2,399.69	119.98	(399.69)
511744	Minor Tools & Equipment	<u>3,500.00</u>	<u>0.00</u>	<u>1,974.36</u>	<u>56.41</u>	<u>1,525.64</u>
TOTAL MISCELLANIOUS EXPENSES		5,500.00	37.98	4,374.05	79.53	1,125.95
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EXPENSES (Continued)						
511826	Property Insurance-TML	<u>2,000.00</u>	<u>0.00</u>	<u>1,227.30</u>	<u>61.37</u>	<u>772.70</u>
TOTAL EXPENSES (Continued)		2,000.00	0.00	1,227.30	61.37	772.70
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CAPITAL EXPENSES						
511940	Equipment	0.00	0.00	100.00	0.00	(100.00)
511960	Capital Outlay	<u>0.00</u>	<u>0.00</u>	<u>14,065.00</u>	<u>0.00</u>	<u>(14,065.00)</u>
TOTAL CAPITAL EXPENSES		0.00	0.00	14,165.00	0.00	(14,165.00)
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TOTAL PARKS		64,500.00	3,289.29	42,741.31	66.27	21,758.69
		=====	=====	=====	=====	=====
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*** TOTAL EXPENDITURES ***		4,429,495.50	352,591.27	3,237,099.71	73.08	1,192,395.79
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*** REVENUES OVER/(UNDER) EXPENDITURES *		27,747.48	703,524.13	2,300,827.53	0.00	(2,273,080.05)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

02 -WATER

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
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REVENUE SUMMARY

REVENUE		9,928,500.00	2,014,587.11	8,270,301.20	83.30	1,658,198.80
GENERAL AND ADMINISTRATIV		<u>267,037.31</u>	<u>39,095.56</u>	<u>39,095.56</u>	<u>14.64</u>	<u>227,941.75</u>
*** TOTAL REVENUES ***		10,195,537.31	2,053,682.67	8,309,396.76	81.50	1,886,140.55
		=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

WATER		3,788,774.26	93,833.20	2,454,895.18	64.79	1,333,879.08
BOND EXPENSE		<u>0.00</u>	<u>655,519.23</u>	<u>655,519.23</u>	<u>0.00</u>	<u>(655,519.23)</u>
*** TOTAL EXPENDITURES ***		3,788,774.26	749,352.43	3,110,414.41	82.10	678,359.85
		=====	=====	=====	=====	=====
*** REVENUES OVER/(UNDER) EXPENDITURES *		6,406,763.05	1,304,330.24	5,198,982.35	81.15	1,207,780.70
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FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

02 -WATER

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUE</u>						
40001	Water Fund Revenue	1,750,000.00	581,674.94	1,648,170.12	94.18	101,829.88
40001.03	Sewer Fund Revenue	1,200,000.00	407,643.16	1,098,011.55	91.50	101,988.45
40002.09	Water Impact Revenue	1,600,000.00	139,600.00	1,265,400.00	79.09	334,600.00
40003	Road Bore Fee	10,000.00	0.00	0.00	0.00	10,000.00
40003.03	Road Bore Fee	5,000.00	0.00	0.00	0.00	5,000.00
40003.09	Sewer Impact Revenue	3,200,000.00	304,800.00	2,264,200.00	70.76	935,800.00
40004	Water Tap Fees	175,000.00	59,750.91	397,552.16	227.17	(222,552.16)
40004.03	Sewer Tap Fees	250,000.00	56,415.00	529,040.00	211.62	(279,040.00)
40005	Reconnect Fees	20,000.00	4,480.00	36,130.00	180.65	(16,130.00)
40006	Credit Card Fees	20,000.00	1,288.20	17,209.51	86.05	2,790.49
40010.03	Garbage Collection Fees	3,000.00	324.80	2,833.36	94.45	166.64
40011.03	Garbage Revenue	250,000.00	29,624.79	245,335.98	98.13	4,664.02
40012	Misc. Revenue	0.00	0.00	6.40	0.00	(6.40)
40015	Cash Collections / Misc.	0.00	0.50	(155.64)	0.00	155.64
40016	Late Fees-Water	25,000.00	14,591.24	19,806.55	79.23	5,193.45
40016.03	Late Fees-Sewer	25,000.00	10,736.93	13,240.43	52.96	11,759.57
40018	Disconnect Fees	30,000.00	(45.00)	45.00	0.15	29,955.00
40020	Interest Income	0.00	0.03	0.06	0.00	(0.06)
40020.09	Impact Fund Interest	6,000.00	5,162.92	11,351.57	189.19	(5,351.57)
40024	LoneStarGroundwaterConservati	37,500.00	21,432.70	37,580.93	100.22	(80.93)
40025	San Jac River Authority Fee	625,000.00	373,714.56	654,806.58	104.77	(29,806.58)
40026	Major Maintenance Fee	22,500.00	1,638.26	15,312.96	68.06	7,187.04
40027	Depreciation Fee	19,000.00	1,454.47	13,378.23	70.41	5,621.77
40029	INSTITUTIONAL/NON PRF/EXEMPT	1,000.00	298.70	1,045.45	104.55	(45.45)
40040	Transfer in from Debt Service	654,500.00	0.00	0.00	0.00	654,500.00
TOTAL REVENUE		9,928,500.00	2,014,587.11	8,270,301.20	83.30	1,658,198.80

GENERAL AND ADMINISTRATIV

40106	Transfer in from 4B	267,037.31	0.00	0.00	0.00	267,037.31
40129	SALE OF ASSETS	0.00	39,095.56	39,095.56	0.00	(39,095.56)
TOTAL GENERAL AND ADMINISTRATIV		267,037.31	39,095.56	39,095.56	14.64	227,941.75

PROJECT REVENUE

*** TOTAL REVENUE ***	10,195,537.31	2,053,682.67	8,309,396.76	81.50	1,886,140.55
	=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

02 -WATER

WATER

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
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I & S PAYMENTS

500033.01	2017 SIB INT I&S PMT	18,455.72	9,990.75	19,218.61	104.13	(762.89)
500034	Interest Expense-2011 SIB Loa	20,587.56	0.00	11,378.62	55.27	9,208.94
500035	2014 C/O Interest Expense	170,600.00	0.00	170,600.00	100.00	0.00
500051	INT EXP-2021 GO REFUNDING BON	<u>242,136.26</u>	<u>(114,261.88)</u>	<u>242,136.26</u>	<u>100.00</u>	<u>0.00</u>
	TOTAL I & S PAYMENTS	451,779.54	(104,271.13)	443,333.49	98.13	8,446.05

PERSONNEL SERVICES

500501	Salaries	69,628.00	5,344.80	41,157.77	59.11	28,470.23
500503	Overtime	0.00	64.08	2,425.59	0.00	(2,425.59)
500515	Longevity	50.00	0.00	30.00	60.00	20.00
500516	T.E.C.	360.00	0.00	387.34	107.59	(27.34)
500517	T.M.R.S.	3,400.29	278.21	2,080.53	61.19	1,319.76
500518	Worker's Comp.	177.97	0.00	228.87	128.60	(50.90)
500526	Insurance (Med/Den/Life/Vis.)	24,007.44	0.00	13,004.03	54.17	11,003.41
500536	Payroll Tax (F.I.C.A.)	5,330.37	413.76	3,331.08	62.49	1,999.29
500543	Educ.,Travel & Cert.	1,000.00	0.00	495.00	49.50	505.00
500547	Drug Test	100.00	0.00	0.00	0.00	100.00
500548	Dues and Memberships	300.00	0.00	0.00	0.00	300.00
500550	Interest Expense-2014 G/O	<u>91,507.50</u>	<u>0.00</u>	<u>91,508.00</u>	<u>100.00</u>	<u>(0.50)</u>
	TOTAL PERSONNEL SERVICES	195,861.57	6,100.85	154,648.21	78.96	41,213.36

CONTRACTUAL EXPENSES

500602.03	UTILITIES/ GAS	0.00	1,975.32	1,975.32	0.00	(1,975.32)
500603	Utilities/Electric-Water	66,000.00	13,538.45	59,543.07	90.22	6,456.93
500603.03	Utilities/Electric-Sewer	77,000.00	10,750.58	51,510.36	66.90	25,489.64
500605	Utilities/ Telephone-Water	7,000.00	0.00	285.65	4.08	6,714.35
500627	Maintenance & Repair-Water	125,000.00	0.00	29,849.22	23.88	95,150.78
500627.03	Maint. & Repair/Sewer	100,000.00	1,351.24	52,915.68	52.92	47,084.32
500632	Contract/Consultant Svcs-Wate	76,250.00	7,992.00	70,369.70	92.29	5,880.30
500632.03	Contract/Consultant Svcs-Sewer	75,000.00	2,807.00	81,684.70	108.91	(6,684.70)
500633	Maint. & Repair Water Equipme	6,000.00	2,068.79	3,989.96	66.50	2,010.04
500633.03	Maint & Repair Sewer Equipmen	17,000.00	423.22	16,687.14	98.16	312.86
500640	Legal	0.00	283.75	283.75	0.00	(283.75)
500640.03	LEGAL	0.00	283.75	283.75	0.00	(283.75)
500643	Engineering-Water	10,000.00	1,267.88	16,707.13	167.07	(6,707.13)
500643.03	Engineering-Sewer	15,000.00	0.00	27,530.45	183.54	(12,530.45)
500652	Permits,Fees,Testing-Water	27,000.00	2,490.00	17,277.45	63.99	9,722.55
500652.03	Permits & Testing-Sewer	10,000.00	0.00	6,423.01	64.23	3,576.99
500663	Rental of Equipment-Water	5,000.00	0.00	0.00	0.00	5,000.00
500663.03	Rental of Equipment-Sewer	6,000.00	0.00	5,040.00	84.00	960.00
500672.03	Garbage Service	187,500.00	18,511.83	114,946.38	61.30	72,553.62
500673	Computer Software/Updates	14,380.00	150.00	9,707.81	67.51	4,672.19
500677	Minor Tools & Equipment-Water	<u>12,000.00</u>	<u>44.99</u>	<u>1,680.87</u>	<u>14.01</u>	<u>10,319.13</u>
	TOTAL CONTRACTUAL EXPENSES	836,130.00	63,938.80	568,691.40	68.01	267,438.60

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

02 -WATER

WATER

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>MISCELLANIOUS EXPENSES</u>						
500700	General Supplies (Misc.)-Wate	50,000.00	1,352.23	36,277.21	72.55	13,722.79
500700.03	General Supplies (Misc.)-Sewe	8,000.00	650.53	7,921.35	99.02	78.65
500744.03	Minor Tools & Equip.-Sewer	4,000.00	961.46	4,613.71	115.34	(613.71)
500766	Office Supplies	2,500.00	0.00	429.51	17.18	2,070.49
500780	Chemicals/Water Treatment	23,000.00	3,565.98	21,317.12	92.68	1,682.88
500780.03	Chemicals/Sewer Treatment	<u>11,000.00</u>	<u>54.84</u>	<u>3,856.18</u>	<u>35.06</u>	<u>7,143.82</u>
TOTAL MISCELLANIOUS EXPENSES		98,500.00	6,585.04	74,415.08	75.55	24,084.92

EXPENSES (Continued)

500800	Bank Fees	18,000.00	2,055.30	21,984.56	122.14	(3,984.56)
500802.09	Water Impact Expense	250,000.00	0.00	1,860.00	0.74	248,140.00
500803.09	Sewer Impact Expense	250,000.00	0.00	0.00	0.00	250,000.00
500804	San Jacinto River Authority	675,000.00	96,988.87	554,167.97	82.10	120,832.03
500805	Lone Star Water Conservation	25,000.00	5,588.75	22,355.00	89.42	2,645.00
500825.03	Sewer Liability Ins.-TML	1,500.00	0.00	658.02	43.87	841.98
500826	Water Plant Insurance - TML	9,000.00	0.00	7,363.98	81.82	1,636.02
500826.03	Sewer Plant Insurance-TML	12,000.00	0.00	9,614.10	80.12	2,385.90
500830.03	Personal Property Ins.-TML	2,000.00	0.00	867.50	43.38	1,132.50
500831.03	Damage Claims	1,000.00	0.00	0.00	0.00	1,000.00
500833	Postage	4,500.00	0.00	5,097.50	113.28	(597.50)
500857.03	Sludge Hauling	82,000.00	10,829.22	49,905.39	60.86	32,094.61
500859	Transfer to General Fund	<u>596,503.15</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>596,503.15</u>
TOTAL EXPENSES (Continued)		1,926,503.15	115,462.14	673,874.02	34.98	1,252,629.13

CAPITAL EXPENSES

500950.03	Capital-Vehicles-Sewer	60,000.00	0.00	58,000.00	96.67	2,000.00
500960	Capital Outlay/Equipment-Wate	50,000.00	6,017.50	369,967.50	739.94	(319,967.50)
500960.03	Capital Outlay - Sewer	170,000.00	0.00	103,336.00	60.79	66,664.00
500975	CAPITAL OUTLAY	<u>0.00</u>	<u>0.00</u>	<u>8,629.48</u>	<u>0.00</u>	<u>(8,629.48)</u>
TOTAL CAPITAL EXPENSES		280,000.00	6,017.50	539,932.98	192.83	(259,932.98)

TOTAL WATER	3,788,774.26	93,833.20	2,454,895.18	64.79	1,333,879.08
	=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

02 -WATER

PROJECT DEPT

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
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I & S PAYMENTS

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

02 -WATER

PENSION EXP

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL	CURRENT	Y-T-D	% OF	BUDGET
		BUDGET	PERIOD	ACTUAL	BUDGET	BALANCE
<hr/>						
CAPITAL EXPENSES						
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
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		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

02 -WATER

BOND EXPENSE

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>I & S PAYMENTS</u>						
590000	BOND ISSUANCE EXPENSE	0.00	313,575.01	313,575.01	0.00	(313,575.01)
590002	BOND ISSUANCE DISCOUNT	<u>0.00</u>	<u>341,944.22</u>	<u>341,944.22</u>	<u>0.00</u>	<u>(341,944.22)</u>
	TOTAL I & S PAYMENTS	0.00	655,519.23	655,519.23	0.00	(655,519.23)
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	TOTAL BOND EXPENSE	0.00	655,519.23	655,519.23	0.00	(655,519.23)
		=====	=====	=====	=====	=====
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***	TOTAL EXPENDITURES ***	3,788,774.26	749,352.43	3,110,414.41	82.10	678,359.85
<hr/>						
***	REVENUES OVER/ (UNDER) EXPENDITURES *	6,406,763.05	1,304,330.24	5,198,982.35	0.00	1,207,780.70
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

04 -CAPITAL PROJ-ENTERPRISE

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE SUMMARY</u>						
	REVENUE	873,850.00	0.00	0.00	0.00	873,850.00
	PROJECT REVENUE	<u>1,062,287.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1,062,287.00</u>
***	TOTAL REVENUES ***	1,936,137.00	0.00	0.00	0.00	1,936,137.00
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	CAPITAL PROJ-ENTERPRISE	<u>3,596,622.00</u>	<u>446,104.89</u>	<u>7,241,231.91</u>	<u>201.33</u>	<u>(3,644,609.91)</u>
***	TOTAL EXPENDITURES ***	3,596,622.00	446,104.89	7,241,231.91	201.33	(3,644,609.91)
		=====	=====	=====	=====	=====
***	REVENUES OVER/(UNDER) EXPENDITURES	(1,660,485.00)	(446,104.89)	(7,241,231.91)	436.09	5,580,746.91
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

04 -CAPITAL PROJ-ENTERPRISE

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE</u>						
40000	TRANSFERS - NET UTILITY FUND	873,850.00	0.00	0.00	0.00	873,850.00
	TOTAL REVENUE	873,850.00	0.00	0.00	0.00	873,850.00
 <u>GENERAL AND ADMINISTRATIV</u>						
<hr/>						
<u>PROJECT REVENUE</u>						
40903	PROCEEDS TX GEN LAND OFF	1,062,287.00	0.00	0.00	0.00	1,062,287.00
	TOTAL PROJECT REVENUE	1,062,287.00	0.00	0.00	0.00	1,062,287.00
 <u>INTRA-FUND TRANSFERS IN</u>						
<hr/>						
*** TOTAL REVENUE ***		1,936,137.00	0.00	0.00	0.00	1,936,137.00
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

04 -CAPITAL PROJ-ENTERPRISE

CAPITAL PROJ-ENTERPRISE

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
	I & S PAYMENTS					
	PERSONNEL SERVICES					
	CONTRACTUAL EXPENSES					
	MISCELLANIOUS EXPENSES					
<hr/>						
EXPENSES (Continued)						
500800	BANK FEES	0.00	0.00	530.00	0.00	(530.00)
	TOTAL EXPENSES (Continued)	0.00	0.00	530.00	0.00	(530.00)

CAPITAL EXPENSES

500950.02	ENGINEERING-FM 1774 UTILITIES	0.00	(79,567.31)	0.00	0.00	0.00
500950.06	WWTP-EXPAN & SANITARY SWR REP	1,000,000.00	27,383.81	1,936,263.78	193.63	(936,263.78)
500950.07	ENGINEERING-FM1488 UTIL RELOC	0.00	0.00	320.00	0.00	(320.00)
500950.08	HUD-GLO PHASE 2 NICHOLS SAWMI	1,346,622.00	0.00	403,985.40	30.00	942,636.60
500950.09	PROJECT-BUDDY RILEY EXP-USDA	1,000,000.00	0.00	0.00	0.00	1,000,000.00
500950.12	FM 1488 FORCE MAIN RELOCATION	0.00	27,287.61	719,354.35	0.00	(719,354.35)
500950.14	WATER PLANT # 3	250,000.00	(35,055.00)	166,995.00	66.80	83,005.00
500950.17	NICHOLS SAWMILL PHASE 3	0.00	500,055.78	1,204,625.88	0.00	(1,204,625.88)
500950.18	TXDOT-FM1488 TO W OF FM 149	0.00	0.00	2,803,157.50	0.00	(2,803,157.50)
500950.19	WATER PLANT #8	0.00	6,000.00	6,000.00	0.00	(6,000.00)
	TOTAL CAPITAL EXPENSES	3,596,622.00	446,104.89	7,240,701.91	201.32	(3,644,079.91)

TOTAL CAPITAL PROJ-ENTERPRISE	3,596,622.00	446,104.89	7,241,231.91	201.33	(3,644,609.91)
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*** TOTAL EXPENDITURES ***	3,596,622.00	446,104.89	7,241,231.91	201.33	(3,644,609.91)
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*** REVENUES OVER/(UNDER) EXPENDITURES	(1,660,485.00)	(446,104.89)	(7,241,231.91)	0.00	5,580,746.91
	=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

05 -DEBT SERVICE - GENERAL

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE SUMMARY</u>						
	REVENUE	783,735.00	11,195.84	776,814.63	99.12	6,920.37
	GENERAL AND ADMINISTRATIV	<u>2,500.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>2,500.00</u>
***	TOTAL REVENUES ***	786,235.00	11,195.84	776,814.63	98.80	9,420.37
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	DEBT SERVICE GENERAL	<u>785,718.00</u>	<u>0.00</u>	<u>131,217.00</u>	<u>16.70</u>	<u>654,501.00</u>
***	TOTAL EXPENDITURES ***	785,718.00	0.00	131,217.00	16.70	654,501.00
		=====	=====	=====	=====	=====
***	REVENUES OVER/(UNDER) EXPENDITURES *	517.00	11,195.84	645,597.63	873.82	(645,080.63)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

05 -DEBT SERVICE - GENERAL

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
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REVENUE

40001	AD VAL TAX REVENUE	781,935.00	11,135.11	776,669.68	99.33	5,265.32
40034	2014 G/O I&S INT EARNED	<u>1,800.00</u>	<u>60.73</u>	<u>144.95</u>	<u>8.05</u>	<u>1,655.05</u>
	TOTAL REVENUE	783,735.00	11,195.84	776,814.63	99.12	6,920.37

GENERAL AND ADMINISTRATIV

40199	DELINQ PROP TAX/PENALTIES/INT	<u>2,500.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>2,500.00</u>
	TOTAL GENERAL AND ADMINISTRATIV	2,500.00	0.00	0.00	0.00	2,500.00

INTRA-FUND TRANSFERS IN

*** TOTAL REVENUE ***		786,235.00	11,195.84	776,814.63	98.80	9,420.37
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

05 -DEBT SERVICE - GENERAL

DEBT SERVICE GENERAL

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>I & S PAYMENTS</u>						
500033	2014 G/O I&S PRINCIPAL PMT	91,500.00	0.00	91,500.00	100.00	0.00
500034	2014 G/O I&S INTEREST PMT	<u>39,218.00</u>	<u>0.00</u>	<u>39,217.00</u>	<u>100.00</u>	<u>1.00</u>
	TOTAL I & S PAYMENTS	130,718.00	0.00	130,717.00	100.00	1.00
 <u>MISCELLANIOUS EXPENSES</u>						
500766	2014 G/O Bank Fees	<u>500.00</u>	<u>0.00</u>	<u>500.00</u>	<u>100.00</u>	<u>0.00</u>
	TOTAL MISCELLANIOUS EXPENSES	500.00	0.00	500.00	100.00	0.00
 <u>EXPENSES (Continued)</u>						
<hr/>						
<u>CAPITAL EXPENSES</u>						
500925	TRFR TO ENTERPRISE DEBT SVC	<u>654,500.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>654,500.00</u>
	TOTAL CAPITAL EXPENSES	654,500.00	0.00	0.00	0.00	654,500.00
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	TOTAL DEBT SERVICE GENERAL	785,718.00	0.00	131,217.00	16.70	654,501.00
		=====	=====	=====	=====	=====
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***	TOTAL EXPENDITURES ***	785,718.00	0.00	131,217.00	16.70	654,501.00
***	REVENUES OVER/ (UNDER) EXPENDITURES *	517.00	11,195.84	645,597.63	0.00	(645,080.63)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

06 -4B COMMUNITY DEV.

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
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REVENUE SUMMARY

REVENUE		501,000.00	59,284.48	497,873.18	99.38	3,126.82
GENERAL AND ADMINISTRATIV		<u>5,000.00</u>	<u>0.00</u>	<u>(11,825.77)</u>	<u>236.52-</u>	<u>16,825.77</u>
*** TOTAL REVENUES ***		506,000.00	59,284.48	486,047.41	96.06	19,952.59
		=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

4B COMMUNITY DEVELOPMENT		<u>379,018.31</u>	<u>13,319.26</u>	<u>144,979.31</u>	<u>38.25</u>	<u>234,039.00</u>
*** TOTAL EXPENDITURES ***		379,018.31	13,319.26	144,979.31	38.25	234,039.00
		=====	=====	=====	=====	=====
*** REVENUES OVER/(UNDER) EXPENDITURES *		126,981.69	45,965.22	341,068.10	268.60	(214,086.41)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

06 -4B COMMUNITY DEV.

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
REVENUE						
40014	4B 1/4 % Sales Tax Revenue	500,000.00	58,719.09	496,366.47	99.27	3,633.53
40022	4B Interest Earned	<u>1,000.00</u>	<u>565.39</u>	<u>1,506.71</u>	<u>150.67</u>	<u>(506.71)</u>
	TOTAL REVENUE	501,000.00	59,284.48	497,873.18	99.38	3,126.82
GENERAL AND ADMINISTRATIV						
40133	The Stroll	<u>5,000.00</u>	<u>0.00</u>	<u>(11,825.77)</u>	<u>236.52-</u>	<u>16,825.77</u>
	TOTAL GENERAL AND ADMINISTRATIV	5,000.00	0.00	(11,825.77)	236.52-	16,825.77
<hr/>						
*** TOTAL REVENUE ***		506,000.00	59,284.48	486,047.41	96.06	19,952.59
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

06 -4B COMMUNITY DEV.

4B COMMUNITY DEVELOPMENT

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
500501	Salary & Benefit Reimbursemen	40,189.00	480.93	7,807.54	19.43	32,381.46
500543	Training & Travel	1,500.00	0.00	0.00	0.00	1,500.00
500550	Dues & Memberships	<u>500.00</u>	<u>30.00</u>	<u>540.00</u>	<u>108.00</u>	<u>(40.00)</u>
	TOTAL PERSONNEL SERVICES	42,189.00	510.93	8,347.54	19.79	33,841.46
<u>CONTRACTUAL EXPENSES</u>						
500632	Contract/Consultant Services	500.00	4,583.33	39,083.31	816.66	(38,583.31)
500632.01	OFFICE RENTAL	0.00	0.00	200.00	0.00	(200.00)
500640	Legal	1,200.00	925.00	3,626.00	302.17	(2,426.00)
500641	Auditing/Accounting Services	2,652.00	0.00	0.00	0.00	2,652.00
500643	Engineering	0.00	0.00	3,961.25	0.00	(3,961.25)
500673	Computer Software	0.00	0.00	1,443.75	0.00	(1,443.75)
500674	Posting & Advertising	0.00	0.00	198.50	0.00	(198.50)
500675	Promotions	<u>2,000.00</u>	<u>0.00</u>	<u>498.10</u>	<u>24.91</u>	<u>1,501.90</u>
	TOTAL CONTRACTUAL EXPENSES	6,352.00	5,508.33	49,010.91	771.58	(42,658.91)
<u>MISCELLANIOUS EXPENSES</u>						
500742	Magazines, Maps, & Books	1,500.00	0.00	4,995.00	333.00	(3,495.00)
500743	Copies / Admin.	240.00	0.00	0.00	0.00	240.00
500766	Office Supplies	<u>200.00</u>	<u>0.00</u>	<u>124.88</u>	<u>62.44</u>	<u>75.12</u>
	TOTAL MISCELLANIOUS EXPENSES	1,940.00	0.00	5,119.88	263.91	(3,179.88)
<u>EXPENSES (Continued)</u>						
500824	Errors & Omissions Insurance	2,200.00	0.00	1,244.49	56.57	955.51
500825	Liability Insurance 4B - TML	1,300.00	0.00	657.99	50.61	642.01
500840	Eco Dev Bus Improvement Grant	45,000.00	0.00	0.00	0.00	45,000.00
500845	Monuments/Signs	5,000.00	0.00	0.00	0.00	5,000.00
500848	Park Maintenance	0.00	0.00	568.63	0.00	(568.63)
500851	Downtown Revitalization	<u>8,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>8,000.00</u>
	TOTAL EXPENSES (Continued)	61,500.00	0.00	2,471.11	4.02	59,028.89
<u>CAPITAL EXPENSES</u>						
500924	2011 SIB Loan I&S Transfer	165,233.31	0.00	0.00	0.00	165,233.31
500925	2017 SIB Loan I&S Transfer	40,000.00	0.00	0.00	0.00	40,000.00
500926	2021 SIB Loan I&S Transfer	61,804.00	0.00	0.00	0.00	61,804.00
500972	Prop Purchase(Commerce/Nichol	0.00	0.00	5,000.00	0.00	(5,000.00)
500976	CAPITAL EXPENSES	<u>0.00</u>	<u>7,300.00</u>	<u>75,029.87</u>	<u>0.00</u>	<u>(75,029.87)</u>
	TOTAL CAPITAL EXPENSES	267,037.31	7,300.00	80,029.87	29.97	187,007.44
TOTAL 4B COMMUNITY DEVELOPMENT		379,018.31	13,319.26	144,979.31	38.25	234,039.00
		=====	=====	=====	=====	=====
*** TOTAL EXPENDITURES ***		379,018.31	13,319.26	144,979.31	38.25	234,039.00
*** REVENUES OVER/ (UNDER) EXPENDITURES *		126,981.69	45,965.22	341,068.10	0.00	(214,086.41)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

07 -4A ECONOMIC DEV.

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
REVENUE SUMMARY						
	REVENUE	<u>803,000.00</u>	<u>118,842.98</u>	<u>995,913.38</u>	<u>124.02</u>	<u>(192,913.38)</u>
***	TOTAL REVENUES ***	803,000.00	118,842.98	995,913.38	124.02	(192,913.38)
		=====	=====	=====	=====	=====
EXPENDITURE SUMMARY						
	4A ECONOMIC DEVELOPMENT	<u>96,152.00</u>	<u>167,981.78</u>	<u>243,118.12</u>	<u>252.85</u>	<u>(146,966.12)</u>
***	TOTAL EXPENDITURES ***	96,152.00	167,981.78	243,118.12	252.85	(146,966.12)
		=====	=====	=====	=====	=====
***	REVENUES OVER/(UNDER) EXPENDITURES *	706,848.00	(49,138.80)	752,795.26	106.50	(45,947.26)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

07 -4A ECONOMIC DEV.

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
REVENUE						
40011	4A 1/2 % Sales Tax Revenue	800,000.00	117,438.20	992,732.90	124.09	(192,732.90)
40022	4A Interest Earned	<u>3,000.00</u>	<u>1,404.78</u>	<u>3,180.48</u>	<u>106.02</u>	(<u>180.48</u>)
	TOTAL REVENUE	803,000.00	118,842.98	995,913.38	124.02	(192,913.38)

GENERAL AND ADMINISTRATIV

*** TOTAL REVENUE ***	803,000.00	118,842.98	995,913.38	124.02	(192,913.38)
	=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

07 -4A ECONOMIC DEV.

4A ECONOMIC DEVELOPMENT

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>PERSONNEL SERVICES</u>						
500501	Salary & Benefit Reimbursemen	44,575.00	196.86	5,046.85	11.32	39,528.15
500543	Training & Travel	1,500.00	48.19	48.19	3.21	1,451.81
500550	Dues & Memberships	<u>500.00</u>	<u>30.00</u>	<u>40.00</u>	<u>8.00</u>	<u>460.00</u>
	TOTAL PERSONNEL SERVICES	46,575.00	275.05	5,135.04	11.03	41,439.96
<u>CONTRACTUAL EXPENSES</u>						
500632	Contract/Consultant Services	300.00	4,638.33	51,493.31	164.44	(51,193.31)
500632.02	OFFICE RENTAL	0.00	0.00	200.00	0.00	(200.00)
500640	Legal	5,000.00	610.50	8,970.55	179.41	(3,970.55)
500641	Auditing/Accounting Services	2,652.00	0.00	0.00	0.00	2,652.00
500673	Computer Software	0.00	0.00	2,693.78	0.00	(2,693.78)
500674	Posting & Advertising	<u>1,800.00</u>	<u>7,756.84</u>	<u>7,952.34</u>	<u>441.80</u>	<u>(6,152.34)</u>
	TOTAL CONTRACTUAL EXPENSES	9,752.00	13,005.67	71,309.98	731.23	(61,557.98)
<u>MISCELLANIOUS EXPENSES</u>						
500742	Magazines, Maps & Books	0.00	0.00	5,370.00	0.00	(5,370.00)
500743	Copies / Admin.	200.00	0.00	0.00	0.00	200.00
500744	Minor Equipment	0.00	0.00	2,392.00	0.00	(2,392.00)
500766	Office Supplies	<u>250.00</u>	<u>0.00</u>	<u>958.45</u>	<u>383.38</u>	<u>(708.45)</u>
	TOTAL MISCELLANIOUS EXPENSES	450.00	0.00	8,720.45	937.88	(8,270.45)
<u>EXPENSES (Continued)</u>						
500824	Error & Omissions Ins.- 4A-TM	2,500.00	0.00	1,244.49	49.78	1,255.51
500825	Liability Insurance 4A - TML	1,600.00	0.00	657.99	41.12	942.01
500838	Promotional Expense	0.00	0.00	731.71	0.00	(731.71)
500875	2012 REV BOND INT PAY'T	<u>35,275.00</u>	<u>0.00</u>	<u>617.40</u>	<u>1.75</u>	<u>34,657.60</u>
	TOTAL EXPENSES (Continued)	39,375.00	0.00	3,251.59	8.26	36,123.41
<u>CAPITAL EXPENSES</u>						
500908	Transfers to General	<u>0.00</u>	<u>154,701.06</u>	<u>154,701.06</u>	<u>0.00</u>	<u>(154,701.06)</u>
	TOTAL CAPITAL EXPENSES	0.00	154,701.06	154,701.06	0.00	(154,701.06)
<hr/>						
	TOTAL 4A ECONOMIC DEVELOPMENT	96,152.00	167,981.78	243,118.12	252.85	(146,966.12)
		=====	=====	=====	=====	=====
<hr/>						
***	TOTAL EXPENDITURES ***	96,152.00	167,981.78	243,118.12	252.85	(146,966.12)
<hr/>						
***	REVENUES OVER/(UNDER) EXPENDITURES *	706,848.00	(49,138.80)	752,795.26	0.00	(45,947.26)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

10 -ATS-RED LIGHT CAMERA

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE SUMMARY</u>						
	REVENUE	<u>0.00</u>	<u>10.14</u>	<u>39.81</u>	<u>0.00</u>	<u>(39.81)</u>
	*** TOTAL REVENUES ***	<u>0.00</u>	<u>10.14</u>	<u>39.81</u>	<u>0.00</u>	<u>(39.81)</u>
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	ATS-RED LIGHT CAMERA	<u>50,000.00</u>	<u>7,324.38</u>	<u>58,740.59</u>	<u>117.48</u>	<u>(8,740.59)</u>
	*** TOTAL EXPENDITURES ***	<u>50,000.00</u>	<u>7,324.38</u>	<u>58,740.59</u>	<u>117.48</u>	<u>(8,740.59)</u>
		=====	=====	=====	=====	=====
	*** REVENUES OVER/(UNDER) EXPENDITURES (	<u>50,000.00)</u>	<u>(7,314.24)</u>	<u>(58,700.78)</u>	<u>117.40</u>	<u>8,700.78</u>
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

10 -ATS-RED LIGHT CAMERA

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
REVENUE						
40020	Interest Earned	<u>0.00</u>	<u>10.14</u>	<u>39.81</u>	<u>0.00</u>	(<u>39.81</u>)
	TOTAL REVENUE	0.00	10.14	39.81	0.00	(39.81)
<hr/>						
***	TOTAL REVENUE ***	0.00	10.14	39.81	0.00	(39.81)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

10 -ATS-RED LIGHT CAMERA

ATS-RED LIGHT CAMERA

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
PERSONNEL SERVICES						
<hr/>						
CONTRACTUAL EXPENSES						
500630	Red Light Camera-Expense	0.00	0.00	5,800.17	0.00	(5,800.17)
TOTAL CONTRACTUAL EXPENSES		0.00	0.00	5,800.17	0.00	(5,800.17)
<hr/>						
MISCELLANIOUS EXPENSES						
500760	Fuel	50,000.00	7,324.38	52,940.42	105.88	(2,940.42)
TOTAL MISCELLANIOUS EXPENSES		50,000.00	7,324.38	52,940.42	105.88	(2,940.42)
<hr/>						
EXPENSES (Continued)						
<hr/>						
CAPITAL EXPENSES						
<hr/>						
TOTAL ATS-RED LIGHT CAMERA		50,000.00	7,324.38	58,740.59	117.48	(8,740.59)
		=====	=====	=====	=====	=====
<hr/>						
*** TOTAL EXPENDITURES ***		50,000.00	7,324.38	58,740.59	117.48	(8,740.59)
<hr/>						
*** REVENUES OVER/(UNDER) EXPENDITURES (		50,000.00)	(7,314.24)	(58,700.78)	0.00	8,700.78
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

11 -HB 445 ROAD REPAIR

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE SUMMARY</u>						
	REVENUE	<u>412,000.00</u>	<u>60,098.74</u>	<u>499,545.42</u>	<u>121.25</u>	<u>(87,545.42)</u>
	*** TOTAL REVENUES ***	412,000.00	60,098.74	499,545.42	121.25	(87,545.42)
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	HB 445 ROAD REPAIR	<u>300,000.00</u>	<u>0.00</u>	<u>1,860.00</u>	<u>0.62</u>	<u>298,140.00</u>
	*** TOTAL EXPENDITURES ***	300,000.00	0.00	1,860.00	0.62	298,140.00
		=====	=====	=====	=====	=====
	*** REVENUES OVER/(UNDER) EXPENDITURES *	112,000.00	60,098.74	497,685.42	444.36	(385,685.42)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

11 -HB 445 ROAD REPAIR

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
REVENUE						
40009	HB 445 Sales Tax Revenue 1/4%	400,000.00	58,719.09	496,366.41	124.09	(96,366.41)
40020	HB 445 Interest Earned	<u>12,000.00</u>	<u>1,379.65</u>	<u>3,179.01</u>	<u>26.49</u>	<u>8,820.99</u>
	TOTAL REVENUE	412,000.00	60,098.74	499,545.42	121.25	(87,545.42)
<hr/>						
*** TOTAL REVENUE ***		412,000.00	60,098.74	499,545.42	121.25	(87,545.42)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

11 -HB 445 ROAD REPAIR

HB 445 ROAD REPAIR

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
EXPENSES (Continued).						
500850	HB445 Road Repair	<u>300,000.00</u>	<u>0.00</u>	<u>1,860.00</u>	<u>0.62</u>	<u>298,140.00</u>
	TOTAL EXPENSES (Continued)	300,000.00	0.00	1,860.00	0.62	298,140.00
<hr/>						
CAPITAL EXPENSES						
<hr/>						
TOTAL HB 445 ROAD REPAIR						
		300,000.00	0.00	1,860.00	0.62	298,140.00
		=====	=====	=====	=====	=====
<hr/>						
*** TOTAL EXPENDITURES ***		300,000.00	0.00	1,860.00	0.62	298,140.00
<hr/>						
*** REVENUES OVER/ (UNDER) EXPENDITURES *		112,000.00	60,098.74	497,685.42	0.00	(385,685.42)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

17 -HOTEL/MOTEL OCCUPANCY TAX

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE SUMMARY</u>						
	GENERAL AND ADMINISTRATIV	<u>40,000.00</u>	<u>3,503.39</u>	<u>44,455.80</u>	<u>111.14</u>	<u>(4,455.80)</u>
***	TOTAL REVENUES ***	40,000.00	3,503.39	44,455.80	111.14	(4,455.80)
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	HOTEL/MOTEL OCCUPANCY TX	<u>40,000.00</u>	<u>0.00</u>	<u>12,829.42</u>	<u>32.07</u>	<u>27,170.58</u>
***	TOTAL EXPENDITURES ***	40,000.00	0.00	12,829.42	32.07	27,170.58
		=====	=====	=====	=====	=====
***	REVENUES OVER/(UNDER) EXPENDITURES *	0.00	3,503.39	31,626.38	0.00	(31,626.38)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

17 -HOTEL/MOTEL OCCUPANCY TAX

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
GENERAL AND ADMINISTRATIV						
40110	Hotel Occupancy Tax	<u>40,000.00</u>	<u>3,503.39</u>	<u>44,455.80</u>	<u>111.14</u>	<u>(4,455.80)</u>
TOTAL GENERAL AND ADMINISTRATIV		40,000.00	3,503.39	44,455.80	111.14	(4,455.80)
<hr/>						
*** TOTAL REVENUE ***		40,000.00	3,503.39	44,455.80	111.14	(4,455.80)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

17 -HOTEL/MOTEL OCCUPANCY TAX

HOTEL/MOTEL OCCUPANCY TX

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>PERSONNEL SERVICES</u>						
501560	Event Funding	<u>40,000.00</u>	<u>0.00</u>	<u>12,829.42</u>	<u>32.07</u>	<u>27,170.58</u>
	TOTAL PERSONNEL SERVICES	40,000.00	0.00	12,829.42	32.07	27,170.58
<hr/>						
	TOTAL HOTEL/MOTEL OCCUPANCY TX	40,000.00	0.00	12,829.42	32.07	27,170.58
		=====	=====	=====	=====	=====
<hr/>						
***	TOTAL EXPENDITURES ***	40,000.00	0.00	12,829.42	32.07	27,170.58
<hr/>						
***	REVENUES OVER/ (UNDER) EXPENDITURES *	0.00	3,503.39	31,626.38	0.00	(31,626.38)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

18 -MC SECURITY FUND

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
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REVENUE SUMMARY

COURTS		<u>7,000.00</u>	<u>535.46</u>	<u>6,723.39</u>	<u>96.05</u>	<u>276.61</u>
*** TOTAL REVENUES ***		7,000.00	535.46	6,723.39	96.05	276.61
		=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

MC SECURITY		<u>5,000.00</u>	<u>395.77</u>	<u>4,896.26</u>	<u>97.93</u>	<u>103.74</u>
*** TOTAL EXPENDITURES ***		5,000.00	395.77	4,896.26	97.93	103.74
		=====	=====	=====	=====	=====
*** REVENUES OVER/(UNDER) EXPENDITURES *		2,000.00	139.69	1,827.13	91.36	172.87
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

18 -MC SECURITY FUND

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
COURTS						
40408	MC Security Fund Fees	<u>7,000.00</u>	<u>535.46</u>	<u>6,723.39</u>	<u>96.05</u>	<u>276.61</u>
	TOTAL COURTS	7,000.00	535.46	6,723.39	96.05	276.61
<hr/>						
*** TOTAL REVENUE ***		7,000.00	535.46	6,723.39	96.05	276.61
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

18 -MC SECURITY FUND

MC SECURITY

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>PERSONNEL SERVICES</u>						
504565	MC Security Expense	<u>5,000.00</u>	<u>395.77</u>	<u>4,896.26</u>	<u>97.93</u>	<u>103.74</u>
	TOTAL PERSONNEL SERVICES	5,000.00	395.77	4,896.26	97.93	103.74
 <u>CONTRACTUAL EXPENSES</u>						
 <u>CAPITAL EXPENSES</u>						
<hr/>						
TOTAL MC SECURITY		5,000.00	395.77	4,896.26	97.93	103.74
		=====	=====	=====	=====	=====
<hr/>						
*** TOTAL EXPENDITURES ***		5,000.00	395.77	4,896.26	97.93	103.74
<hr/>						
*** REVENUES OVER/(UNDER) EXPENDITURES *		2,000.00	139.69	1,827.13	0.00	172.87
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

19 -MC TECHNOLOGY FUND

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
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REVENUE SUMMARY

COURTS		0.00	0.00	(0.70)	0.00	0.70
RESTRICTED ACCOUNTS		<u>9,000.00</u>	<u>618.14</u>	<u>7,563.24</u>	<u>84.04</u>	<u>1,436.76</u>
*** TOTAL REVENUES ***		9,000.00	618.14	7,562.54	84.03	1,437.46
		=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

MC TECHNOLOGY FUND		<u>8,100.00</u>	<u>667.52</u>	<u>7,727.99</u>	<u>95.41</u>	<u>372.01</u>
*** TOTAL EXPENDITURES ***		8,100.00	667.52	7,727.99	95.41	372.01
		=====	=====	=====	=====	=====
*** REVENUES OVER/(UNDER) EXPENDITURES *		900.00	(49.38)	(165.45)	18.38-	1,065.45
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

19 -MC TECHNOLOGY FUND

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>COURTS</u>						
40422	CR CARD CONV FEE	<u>0.00</u>	<u>0.00</u>	<u>(0.70)</u>	<u>0.00</u>	<u>0.70</u>
	TOTAL COURTS	0.00	0.00	(0.70)	0.00	0.70
 <u>RESTRICTED ACCOUNTS</u>						
41190	MC Technology Fund Fee	<u>9,000.00</u>	<u>618.14</u>	<u>7,563.24</u>	<u>84.04</u>	<u>1,436.76</u>
	TOTAL RESTRICTED ACCOUNTS	9,000.00	618.14	7,563.24	84.04	1,436.76
<hr/>						
*** TOTAL REVENUE ***		9,000.00	618.14	7,562.54	84.03	1,437.46
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

19 -MC TECHNOLOGY FUND

MC TECHNOLOGY FUND

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>PERSONNEL SERVICES</u>						
519570	MC Technology Fund Expenses	<u>8,100.00</u>	<u>667.52</u>	<u>7,727.99</u>	<u>95.41</u>	<u>372.01</u>
	TOTAL PERSONNEL SERVICES	8,100.00	667.52	7,727.99	95.41	372.01
<hr/>						
	TOTAL MC TECHNOLOGY FUND	8,100.00	667.52	7,727.99	95.41	372.01
		=====	=====	=====	=====	=====
<hr/>						
***	TOTAL EXPENDITURES ***	8,100.00	667.52	7,727.99	95.41	372.01
<hr/>						
***	REVENUES OVER/ (UNDER) EXPENDITURES *	900.00	(49.38)	(165.45)	0.00	1,065.45
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

27 -IN-KIND FRANCHISE FEES

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
REVENUE SUMMARY						
	GENERAL AND ADMINISTRATIV	0.00	0.00	5,807.83	0.00	(5,807.83)
***	TOTAL REVENUES ***	0.00	0.00	5,807.83	0.00	(5,807.83)
		=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

		=====	=====	=====	=====	=====
***	REVENUES OVER/ (UNDER) EXPENDITURES *	0.00	0.00	5,807.83	0.00	(5,807.83)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

27 -IN-KIND FRANCHISE FEES

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
GENERAL AND ADMINISTRATIV						
40120	IN-KIND FRANCHISE INCOME	0.00	0.00	5,807.83	0.00	(5,807.83)
	TOTAL GENERAL AND ADMINISTRATIV	0.00	0.00	5,807.83	0.00	(5,807.83)
<hr/>						
*** TOTAL REVENUE ***		0.00	0.00	5,807.83	0.00	(5,807.83)
		=====	=====	=====	=====	=====

AS OF: JUNE 30TH, 2022

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>CAPITAL EXPENSES</u>						
<hr/>						
		=====	=====	=====	=====	=====
<hr/>						
***	REVENUES OVER/ (UNDER) EXPENDITURES *	0.00	0.00	5,807.83	0.00	(5,807.83)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

32 -MAGNOLIA RIDGE - PID

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE SUMMARY</u>						
	GENERAL AND ADMINISTRATIV	<u>124,315.00</u>	<u>0.00</u>	<u>122,898.15</u>	<u>98.86</u>	<u>1,416.85</u>
***	TOTAL REVENUES ***	124,315.00	0.00	122,898.15	98.86	1,416.85
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
	MAGNOLIA RIDGE PID	<u>117,495.00</u>	<u>0.00</u>	<u>46,247.50</u>	<u>39.36</u>	<u>71,247.50</u>
***	TOTAL EXPENDITURES ***	117,495.00	0.00	46,247.50	39.36	71,247.50
		=====	=====	=====	=====	=====
***	REVENUES OVER/(UNDER) EXPENDITURES *	6,820.00	0.00	76,650.65	123.91	(69,830.65)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

32 -MAGNOLIA RIDGE - PID

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
GENERAL AND ADMINISTRATIV						
40105	AD VALOREM TAX REVENUE	<u>124,315.00</u>	<u>0.00</u>	<u>122,898.15</u>	<u>98.86</u>	<u>1,416.85</u>
	TOTAL GENERAL AND ADMINISTRATIV	124,315.00	0.00	122,898.15	98.86	1,416.85
<hr/>						
*** TOTAL REVENUE ***		124,315.00	0.00	122,898.15	98.86	1,416.85
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

32 -MAGNOLIA RIDGE - PID

MAGNOLIA RIDGE PID

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>I & S PAYMENTS</u>						
500033	2018 PID BOND PRINCIPAL PAY'T	30,000.00	0.00	0.00	0.00	30,000.00
500034	2018 PID BOND INTEREST PAY'T	<u>87,495.00</u>	<u>0.00</u>	<u>43,747.50</u>	<u>50.00</u>	<u>43,747.50</u>
	TOTAL I & S PAYMENTS	117,495.00	0.00	43,747.50	37.23	73,747.50
 <u>CONTRACTUAL EXPENSES</u>						
<hr/>						
<u>MISCELLANIOUS EXPENSES</u>						
<hr/>						
<u>EXPENSES (Continued)</u>						
500800	BANK FEES	<u>0.00</u>	<u>0.00</u>	<u>2,500.00</u>	<u>0.00</u>	<u>(2,500.00)</u>
	TOTAL EXPENSES (Continued)	0.00	0.00	2,500.00	0.00	(2,500.00)
<hr/>						
	TOTAL MAGNOLIA RIDGE PID	117,495.00	0.00	46,247.50	39.36	71,247.50
		=====	=====	=====	=====	=====
<hr/>						
***	TOTAL EXPENDITURES ***	117,495.00	0.00	46,247.50	39.36	71,247.50
<hr/>						
***	REVENUES OVER/(UNDER) EXPENDITURES *	6,820.00	0.00	76,650.65	0.00	(69,830.65)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

40 -SEIZED PROPERTY

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
<u>REVENUE SUMMARY</u>						
POLICE		<u>0.00</u>	<u>0.00</u>	<u>12,729.57</u>	<u>0.00</u>	<u>(12,729.57)</u>
*** TOTAL REVENUES ***		0.00	0.00	12,729.57	0.00	(12,729.57)
		=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>						
SEIZED POLICE PROPERTY		<u>0.00</u>	<u>0.00</u>	<u>2,922.99</u>	<u>0.00</u>	<u>(2,922.99)</u>
*** TOTAL EXPENDITURES ***		0.00	0.00	2,922.99	0.00	(2,922.99)
		=====	=====	=====	=====	=====
*** REVENUES OVER/(UNDER) EXPENDITURES *		0.00	0.00	9,806.58	0.00	(9,806.58)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

40 -SEIZED PROPERTY

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
GENERAL AND ADMINISTRATIV						
<hr/>						
POLICE						
40223	SEIZED PROPERTY INCOME	0.00	0.00	12,729.57	0.00	(12,729.57)
	TOTAL POLICE	0.00	0.00	12,729.57	0.00	(12,729.57)
<hr/>						
*** TOTAL REVENUE ***		0.00	0.00	12,729.57	0.00	(12,729.57)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

40 -SEIZED PROPERTY

SEIZED POLICE PROPERTY

DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
CONTRACTUAL EXPENSES						
<hr/>						
MISCELLANIOUS EXPENSES						
500744	MINOR EQUIPMENT	0.00	0.00	2,922.99	0.00	(2,922.99)
	TOTAL MISCELLANIOUS EXPENSES	0.00	0.00	2,922.99	0.00	(2,922.99)
<hr/>						
CAPITAL EXPENSES						
<hr/>						
TOTAL SEIZED POLICE PROPERTY						
		0.00	0.00	2,922.99	0.00	(2,922.99)
		=====	=====	=====	=====	=====
<hr/>						
*** TOTAL EXPENDITURES ***		0.00	0.00	2,922.99	0.00	(2,922.99)
<hr/>						
*** REVENUES OVER/(UNDER) EXPENDITURES *		0.00	0.00	9,806.58	0.00	(9,806.58)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

50 -JUDICIAL EFFICIENCY

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
-------	--------------	------------------	-------------------	-----------------	----------------	-------------------

REVENUE SUMMARY

RESTRICTED ACCOUNTS		<u>200.00</u>	<u>134.79</u>	<u>724.40</u>	<u>362.20</u>	(<u>524.40</u>)
*** TOTAL REVENUES ***		200.00	134.79	724.40	362.20	(524.40)
		=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

		<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		=====	=====	=====	=====	=====
*** REVENUES OVER/ (UNDER) EXPENDITURES *		200.00	134.79	724.40	362.20	(524.40)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

50 -JUDICIAL EFFICIENCY

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
RESTRICTED ACCOUNTS						
41190	JUDICIAL EFFICIENCY FUND FEE	200.00	134.79	724.40	362.20	(524.40)
TOTAL RESTRICTED ACCOUNTS		200.00	134.79	724.40	362.20	(524.40)
<hr/>						
*** TOTAL REVENUE ***		200.00	134.79	724.40	362.20	(524.40)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

50 -JUDICIAL EFFICIENCY
JUDICIAL EFFICIENCY FUND
DEPARTMENT EXPENDITURES

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
MISCELLANIOUS EXPENSES						
<hr/>						
=====						
<hr/>						
*** REVENUES OVER/(UNDER) EXPENDITURES *						
		200.00	134.79	724.40	0.00	(524.40)
		=====	=====	=====	=====	=====

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

51 -LOCAL MUNICIPAL JURY FUND

FINANCIAL SUMMARY

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
-------	--------------	------------------	-------------------	-----------------	----------------	-------------------

REVENUE SUMMARY

COURTS		0.00	0.00	113.63	0.00	(113.63)
--------	--	------	------	--------	------	-----------

*** TOTAL REVENUES ***		0.00	0.00	113.63	0.00	(113.63)
------------------------	--	------	------	--------	------	-----------

EXPENDITURE SUMMARY

*** REVENUES OVER/ (UNDER) EXPENDITURES *		0.00	0.00	113.63	0.00	(113.63)
---	--	------	------	--------	------	-----------

FINANCIAL STATEMENT - UNAUDITED

AS OF: JUNE 30TH, 2022

51 -LOCAL MUNICIPAL JURY FUND

REVENUE

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<hr/>						
COURTS						
40401	LOCAL MUNICIPAL JURY FUND	<u>0.00</u>	<u>0.00</u>	<u>113.63</u>	<u>0.00</u>	(<u>113.63</u>)
	TOTAL COURTS	0.00	0.00	113.63	0.00	(113.63)
<hr/>						
*** TOTAL REVENUE ***		0.00	0.00	113.63	0.00	(113.63)
		=====	=====	=====	=====	=====
<hr/>						
*** REVENUES OVER/ (UNDER) EXPENDITURES *		0.00	0.00	113.63	0.00	(113.63)
		=====	=====	=====	=====	=====

CITY OF MAGNOLIA
STATEMENT OF REVENUES - BUDGET VS. ACTUAL
AS OF: JUNE 30TH, 2022

% OF YEAR COMPLETED: 75.00

REVENUES	PRIOR YEAR BUDGET	PRIOR YEAR Y-T-D	CURRENT BUDGET	CURRENT PERIOD	CURRENT YTD ACTUAL	BUDGET BALANCE	% OF BUDGET
01 -GENERAL FUND	4,921,994.95	3,037,054.02	4,457,242.98	1,056,115.40	5,537,927.24 (1,080,684.26)		124.25
02 -WATER	5,467,293.61	3,160,416.31	10,195,537.31	2,053,682.67	8,309,396.76	1,886,140.55	81.50
04 -CAPITAL PROJ-ENTERPRI	3,204,350.00	912,800.51	1,936,137.00	0.00	0.00	1,936,137.00	0.00
05 -DEBT SERVICE - GENERA	676,235.00	653,882.74	786,235.00	11,195.84	776,814.63	9,420.37	98.80
06 -4B COMMUNITY DEV.	322,500.00	401,196.90	506,000.00	59,284.48	486,047.41	19,952.59	96.06
07 -4A ECONOMIC DEV.	620,000.00	782,638.93	803,000.00	118,842.98	995,913.38 (192,913.38)		124.02
10 -ATS-RED LIGHT CAMERA	1,500.00	275.83	0.00	10.14	39.81 (39.81)		0.00
11 -HB 445 ROAD REPAIR	312,000.00	391,865.24	412,000.00	60,098.74	499,545.42 (87,545.42)		121.25
17 -HOTEL/MOTEL OCCUPANCY	45,000.00	27,634.71	40,000.00	3,503.39	44,455.80 (4,455.80)		111.14
18 -MC SECURITY FUND	5,500.00	5,707.71	7,000.00	535.46	6,723.39	276.61	96.05
19 -MC TECHNOLOGY FUND	11,000.00	6,208.18	9,000.00	618.14	7,562.54	1,437.46	84.03
27 -IN-KIND FRANCHISE FEE	0.00	341.69	0.00	0.00	5,807.83 (5,807.83)		0.00
32 -MAGNOLIA RIDGE - PID	124,315.00	127,380.04	124,315.00	0.00	122,898.15	1,416.85	98.86
40 -SEIZED PROPERTY	0.00	1,481.74	0.00	0.00	12,729.57 (12,729.57)		0.00
50 -JUDICIAL EFFICIENCY	600.00	184.82	200.00	134.79	724.40 (524.40)		362.20
51 -LOCAL MUNICIPAL JURY	0.00	30.50	0.00	0.00	113.63 (113.63)		0.00
GRAND TOTAL REVENUES	15,712,288.56 =====	9,509,099.87 =====	19,276,667.29 =====	3,364,022.03 =====	16,806,699.96 =====	2,469,967.33 =====	87.19 =====

CITY OF MAGNOLIA
STATEMENT OF EXPENDITURES - BUDGET vs ACTUAL
AS OF: JUNE 30TH, 2022

% OF YEAR COMPLETED: 75.00

EXPENDITURES	PRIOR YEAR BUDGET	PRIOR YEAR Y-T-D	CURRENT BUDGET	CURRENT PERIOD	CURRENT YTD ACTUAL	BUDGET BALANCE	% OF BUDGET
01 -GENERAL FUND	3,724,613.32	2,507,341.70	4,429,495.50	352,591.27	3,237,099.71	1,192,395.79	73.08
02 -WATER	3,263,955.09	1,814,672.31	3,788,774.26	749,352.43	3,110,414.41	678,359.85	82.10
04 -CAPITAL PROJ-ENTERPRI	12,473,850.00	5,163,535.38	3,596,622.00	446,104.89	7,241,231.91	(3,644,609.91)	201.33
05 -DEBT SERVICE - GENERA	674,917.50	130,917.50	785,718.00	0.00	131,217.00	654,501.00	16.70
06 -4B COMMUNITY DEV.	320,037.00	246,695.21	379,018.31	13,319.26	144,979.31	234,039.00	38.25
07 -4A ECONOMIC DEV.	100,563.00	66,659.91	96,152.00	167,981.78	243,118.12	(146,966.12)	252.85
10 -ATS-RED LIGHT CAMERA	344,838.10	270,344.07	50,000.00	7,324.38	58,740.59	(8,740.59)	117.48
11 -HB 445 ROAD REPAIR	300,000.00	12,087.93	300,000.00	0.00	1,860.00	298,140.00	0.62
17 -HOTEL/MOTEL OCCUPANCY	45,000.00	12,349.68	40,000.00	0.00	12,829.42	27,170.58	32.07
18 -MC SECURITY FUND	5,000.00	2,689.06	5,000.00	395.77	4,896.26	103.74	97.93
19 -MC TECHNOLOGY FUND	15,600.00	5,771.32	8,100.00	667.52	7,727.99	372.01	95.41
30 -CAPITAL PROJECTS	0.00	189,999.00	0.00	0.00	0.00	0.00	0.00
32 -MAGNOLIA RIDGE - PID	113,920.00	47,060.00	117,495.00	0.00	46,247.50	71,247.50	39.36
40 -SEIZED PROPERTY	0.00	9,800.00	0.00	0.00	2,922.99	(2,922.99)	0.00
GRAND TOTAL EXPENDITURES	21,382,294.01	10,479,923.07	13,596,375.07	1,737,737.30	14,243,285.21	646,910.14	104.76
	=====	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	(5,670,005.45)	(970,823.20)	5,680,292.22	1,626,284.73	2,563,414.75	3,116,877.47	45.13

FY 2022 MAGNOLIA MUNICIPAL COURT COLLECTIONS REPORT

MONTH	CITATIONS PAID THROUGH TRAFFIC PAYMENT.COM	CITATIONS PAID IN OFFICE OR THROUGH THE MAIL	TOTAL COURT COLLECTIONS
OCT.2021	32,518.63	19,898.86	52,417.49
Nov.2021	23,661.30	\$18,944.50	42,605.80
DEC.2021	19,796.90	12,736.22	32,533.12
JAN.2022	31,048.70	17,777.26	48,825.96
FEB.2022	32,273.07	20,178.40	52,451.47
MAR.2022	36,011.92	19,026.56	55,038.48
APR. 2022	26,094.32	15,156.84	41,251.16
MAY 2022	23,161.84	13,817.15	36,978.99
JUN. 2022	20,364.29	13,289.45	33,653.74
JUL. 2022			
AUG. 2022			
SEPT. 2022			
TOTAL:	244,930.97	150,825.40	395,756.61
	BY: FRANCES SUAREZ 07/01/2022		

2022 MAGNOLIA MUNICIPAL COURT CASE MANAGEMENT REPORT										
Month	Citations Issued	Violations Issued	Warnings Issued	New Warrants Issued	Warrants Cleared	Arraignment Cases	Juvenile Court Cases	Judge Trial cases	*Jury Trial Cases	Show Cause cases
January	175	263	353	723	49	36	5	0	0	0
February	121	158	217	614	81	35	3	0	0	9
March	189	283	372	88	74	43	2	0	0	5
April	164	244	389	59	50	35	4	0	0	3
May	140	227	525	26	56	65	1	0	0	3
June	134	200	336	138	55	51	3	0	0	0
July										
August										
September										
October										
November										
December										
TOTAL	923	1372	2192	1648	365	265	18	0	0	20
Completed By: Frances Suarez										

For Month Of JUNE 2022

[illegible]

ENGINEERING REPORT

JULY 12, 2022

1. CAPITAL IMPROVEMENT PLAN PROJECTS IN DESIGN

A. Water Plant No. 3

45-Acre Tract Wetlands Delineation and Phase I ESA (No update)

The wetlands delineation is complete. No wetlands were found on the subject site. Ephemeral and intermittent tributaries were located along the current riverine system that drains the tract, which are potential jurisdictional waters. Modifying or draining into potential jurisdictional waters may require Corps review and a Nationwide Permit. Once Water Plant No. 3 site drainage has been designed, coordination with the Corps will begin.

45-Acre Tract Surveying and Platting

AEI has provided the City Attorney the legal descriptions and exhibits of the water plant, access easement (future right-of-way), water line easement, and sanitary sewer easement. We are underway with the legal description and exhibit for the utility easement for CenterPoint service. The surveyor has completed updating the topographic survey to reflect the new location of the fence between the 45-acre tract and the Garcia tract.

Water Plant No. 3 Phase I Design (Water Well, HPT, Disinfection, Controls)

Phase I design, which includes Water Well No. 7, is undergoing QA/QC review. The project was sent to the TCEQ for review on June 1, 2022.

The site is cleared and grubbed and the geotechnical subconsultant is scheduling a date to perform the bores. Once we receive the geotechnical report, we can complete the structural design.

Water Plant No. 3 Phase II Design (GST, MCC Building, Detention, Site) (No update)

Engineering design is underway.

B. Water Well No. 8 at Water Plant No. 2

Engineering design is underway. The Phase I ESA is complete, and we have received a draft survey. We expect to receive the geotechnical report soon. The hydrogeologic subconsultant will be authorized once design has further progressed.

2. CAPITAL IMPROVEMENT PLAN PROJECTS IN CONSTRUCTION

A. Water Plant No. 3

Water Plant No. 3 Clearing and Grubbing

The project was awarded to LG&G Construction, Inc. in the amount of \$51,450. We anticipate substantial completion by July 6, 2022. The project is 98% complete.

We present Change Order No. 1 for \$964.51. This change order represents an additional 265 linear feet of filter fabric fence.

- **For action:** Consider authorization of Change Order No. 1.

B. Nichols Sawmill Interceptor Sewer Replacement Phase II

Ballast Point Construction continues to work on construction.

AEI is continuing to assist the City in addressing issues with the previously installed portions of the Phase II project. The contractor has cleaned and televised portions of Phase II that were installed by the previous contractor. We are still awaiting the TV survey and elevations to confirm the line will operate as designed. We are currently working through the connections of the existing services to the new line. In addition, we are working on resolving the backfill and additional claims by the contractor.

AEI met onsite with a couple contractors on June 27th to discuss the pavement replacement on Commerce Street. We are awaiting their proposals. We have received a proposal from a third contractor that does not meet the planned designed. We will present the information at the meeting if we receive it prior to the meeting.

C. Nichols Sawmill Interceptor Sewer Replacement Phase III

Ballast Point Construction continues to progress. We have obtained the railroad crossing permit with UPRR and are continuing to coordinate with TxDOT on renewing the expired permit.

AEI received Pay Estimate No. 2 for \$500,055.78. This amount represents sanitary sewer manholes, 24-inch sanitary sewer by open cut, 24-inch sanitary sewer by trenchless construction, 8-inch sanitary sewer, 4-inch sanitary sewer, partial installation of the traffic control plan, and trench safety. Payment is recommended at this time. The contractor submitted the pay estimate requesting payment for additional items that could not be verified; therefore, we do not recommend payment of those items and they are not included in the Pay Estimate No. 2 amount listed above.

We are coordinating with the contractor on Change Order No. 1 for multiple items.

D. FM 1488 Force Main Construction and Water Line Relocation

D. L. Glover, Inc. is underway with installation of the force main.

The lines have been lowered for Audobon at the developer's request, and the contractor has been instructed to invoice Sam Yaeger & Associates for that work.

GBI has provided a proposal for easement staking for \$2,500. This proposal will be forwarded to City Staff.

AEI received Pay Estimate No. 3 for \$347,556.68. This pay estimate represents partial payment for clearing and grubbing, excavation, installation of 2,760 linear feet of force main, trench safety, and work per Change Order No. 1.



3. EMERGENCY PREPAREDNESS PLAN (EPP) AND CRITICAL LOAD COORDINATION

Senate Bill 3 requires water utilities outside of Harris and Fort Bend Counties to prepare an EPP for the water system and submit it to the TCEQ no later than March 1, 2022. Each utility must then implement the plan by July 1, 2022.

AEI submitted the EPP for the water system to the TCEQ on February 28, 2022. The slab design for the new diesel tanks at the water plants was provided to the City on June 17, 2022. The diesel tanks have been ordered, and delivery is expected in mid-August. On June 30, 2022 we sent an email to the TCEQ requesting a 90-day extension of the EPP implementation.

We have completed the EPP for the wastewater treatment plant, and it was provided to the City on June 29, 2022.

4. 4A ECONOMIC DEVELOPMENT CORPORATION AND 4B COMMUNITY DEVELOPMENT CORPORATION

A. FM 1774 Sanitary Sewer Extension Preliminary Engineering Report (PER)

A draft PER was provided to the 4A and was presented at their June 9th meeting.

B. Water Plant No. 3 Platting

See Item No. 1A of this report.

5. SANITARY SEWER OVERFLOW (SSO) INITIATIVE (NO UPDATE)

SSO Initiative Plan

There is no update this reporting period. The report was submitted to the TCEQ on January 31, 2022. We are awaiting a response from the TCEQ.

Sanitary Sewer Flow Monitoring

We are reviewing videos for discrepancies related to the flows. We have contacted Dukes Root Control to review the results of the testing to determine if there is another issue that is not yet clear. We have not been able to arrange a meeting date yet.

6. MAJOR THOROUGHFARE PLAN

The Major Thoroughfare Plan is underway. At this time, we are still collecting existing data.

7. NICHOLS SAWMILL WASTEWATER TREATMENT PLANT

A. WWTP Expansion

All parties have agreed to keep the proposed CenterPoint pole in its original designed location to prevent further delays. It is expected the pole will be set in 2-3 weeks. AEI is coordinating with chemical storage tank manufacturers for the bleach and sodium bisulfite tanks, and we expect a proposal within 2 weeks.

We are coordinating with the contractor on additional costs associated with adding a pipe support on the air header piping, relocating the housekeeping pad for the AC unit in order to provide access to the AC unit, and installation of a 2-inch PVC line and insulation at the clarifier.

B. Evaluation of Existing 0.30 (Treatment Unit 1) and 0.35 (Treatment Unit 2) MGD Plants (No update)

AEI is awaiting completion of the current WWTP expansion and transfer of service to the new plant before initiating the inspection of the existing plant structures. This is currently estimated to occur after June 2022.

8. FUTURE WWTP

AEI presented a proposal from LJA's acquisition department to begin negotiations for a future WWTP tract. The tract was owned by Axe Em Investments L.P. It became apparent at the last meeting with Audubon that the property had been purchased by Audubon. We will cancel the contract negotiations with LJA as the contract has not yet been finalized.

9. CITY LIMITS, ETJ, AND ZONING MAP

We are coordinating with our surveyor for a proposal to create a City/ETJ limits map, as well as update the zoning map since its last update in 2018. We present Work Order No. 22-007 for this work.

- **For action:** Consider authorization of work order for map update.

10. FUNDING FOR PROJECTS (NO UPDATES)

A. CDBG Grant Application for Dogwood Patches Sanitary Sewer Rehabilitation

The project has been awarded. We will be in coordination with GrantWorks, Inc.

B. State Revolving Funds for Water Plant No. 3 and Wastewater Treatment Plant Expansion

The Project Information Forms (PIF) for Water Plant No. 3 and the wastewater treatment plant expansion were accepted. Once the state plan is posted and the comment period is complete, there will be invites to apply for the funding.

C. American Rescue Plan Act of 2021 (ARPA) Funding

AEI met with GrantWorks, Inc. to discuss potential projects to be funded by ARPA funds. AEI will provide project costs and descriptions to GrantWorks, Inc. for the Elm Street Water Plant 200,000-Gallon GST rehabilitation, cleaning and televising the Cloyd Drive and Windmill Estates sanitary sewer lines, and rehabilitation of the sanitary sewer lines along Cloyd Drive and Amarillo Drive.

11. DEVELOPMENT AND PLAN REVIEWS

A. Current and Proposed Development

Attached is a spreadsheet of the status of plan reviews completed and in progress.

AEI met with the following entities to discuss development within the City and its ETJ:

- Magnolia ISD: Met on 6/15 to discuss well usage. We have received capacity of the facilities and will request their water demands to determine if there is excess capacity. On the surface, it appears that there may be some excess capacity that can be utilized by the City, especially from the West High School as MISD has already extended a line to the City's system.
- Collins Tract: Met on 6/16/22 to discuss development.
- Magnolia Place: Met on 6/20/22 to discuss platting.
- Audubon: Met on 6/30/22 to discuss development.

AEI attended the pre-construction conference for Magnolia Ridge Forest Sections 15 and 16 on June 28.

B. Development Acceptance

AEI has prepared the Standards for Development Acceptance to ensure facilities are reviewed, certified, and maintained over one year with a final review prior to acceptance by the City for maintenance. We are continuing to review and update these standards.

Final inspections have been held and passed for Magnolia Ridge Forest Sections 1-6. We have received the acceptance package and are currently reviewing it.

We have punchlist items for Magnolia Ridge Forest Sections 7, 11, and 12. The developer is currently working on addressing these items.

For Magnolia Ridge Blvd, AEI conducted an acceptance inspection and prepared a punchlist. Additionally, AEI prepared a striping layout for further traffic control. It is our understanding that the estimated costs have been sent to the developer with a punch list.

12. GENERAL ITEMS

- (No Update) AEI visited the Elm Street Water Plant on December 15, 2021 to evaluate the condition of the tanks to determine a schedule for rehabilitation. During the visit, it was determined a water valve on a line serving the hydropneumatic tank (HPT) was unable to be located. AEI met City staff at the site on December 22, 2021 and was able to locate the buried valve. At the time, the valve was unable to be fully operated. The valve will be exercised to try to close it. If it is unable to be closed, it will need to be replaced.
- On December 15, 2021, AEI visited the drainage project site at Sarah Lane and Bryan Street in Timberbrook Estates. Stormwater is not properly draining at the turn in the street. The attorneys are determining if fixing the project will need to go through the bidding process. AEI can provide a work order for the project once a scope is determined.
- We have requested an electronic copy of the WWTP expansion plans and specifications from Strand and expect to receive them soon.
- AEI is continuing to work on an overall map of the City's utility system and is about 35% complete.
- AEI is reviewing the Unified Development Code and will provide comments. We are about 45% complete.
- AEI is updating the City's standard construction details and is about 65% complete.
- AEI is reviewing the City's standard specifications and will provide comments. We are about 50% complete.


Michael A. Kurzy, P.E.
Vice President

AEI Engineering, a Baxter & Woodman Company
TBPE Registration No. F-21783
Attachments

PLAN REVIEW PROJECT STATUS
6/30/2022

			Plat				Plans Submittal No. 1						Plans Submittal No. 2						Montgomery County		TCEQ		
B&W No.	Client & Project Name		Engineer	Preliminary Plat Received	Preliminary Plat Approved	Final Plat Received	Final Plat Approved	Plans Received	Administratively Complete	Drainage Plans Approved	Plans Approved	Plan Review Letter Sent	No Objection Letter Sent	Plans Received	Administratively Complete	Drainage Plans Approved	Plans Approved	Plan Review Letter Sent	No Objection Letter Sent	Drainage Approval	Engineering Approval	Water - Approval	WW - Approval
211709.80-001	MAGNC	Ranco Grande Restaurant	REG	No	No			08/12/21	Yes			08/17/21		01/13/22	Yes			01/27/22					
220274.80-001	MAGNC	Windmill Estates WSDP	DTM		Yes			02/02/22	Yes			02/14/22		06/09/22	Yes			In Progress					
220276.80-001	MAGNC	Windmill Estates - DIA	SMA	N/A	N/A	N/A	N/A	02/02/22	Yes			02/22/22		06/09/22	Yes			In Progress					
220690.80-001	MAGNC	Magnolia Cottages (Magnolia Village South)	REG	Yes	Yes			03/24/22	Yes			04/08/22		06/27/22	Yes			In Progress					
220756.80-001	MAGNC	Magnolia Village South Final Plat	BJ	Yes	Yes			04/05/22	Yes			04/15/22		05/12/22	Yes			05/18/22					
220758.80-001	MAGNC	Detention Facilities to Serve Magonlia Ridge Forest Sec 17, 18 & 19	MN	Yes	Yes			04/06/22	Yes			04/18/22		05/05/22	Yes			05/12/22					
220759.80-001	MAGNC	Escondido Detention Pond C and D & Mass Grading	TC	No				04/06/22	Yes			04/18/22											
220780.80-001	MAGNC	C-Store & Gas Station	CT	No				04/12/22	Yes			04/26/22		06/22/22	Yes			In Progress					
220835.80-001	MAGNC	Mill Creek Estates Sec 7 WSDP	MN	No				04/19/22	Yes			05/02/22											
220837.80-001	MAGNC	Carrilos Magnolia Reserve Preliminary Plat	BJ	No				04/19/22	Yes			05/02/22											
220876.80-001	MAGNC	Magnolia Ridge Forest Section 18 Final Plat	BJ	Yes	Yes			04/25/22	Yes			05/04/22		06/27/22	Yes			In Progress					
220877.80-001	MAGNC	Magnolia Ridge Forest Section 19 Final Plat	BJ	Yes	Yes			04/25/22	Yes			05/04/22		06/27/22	Yes			In Progress					
220991.80-001	MAGNC	Mustang Ridge Sec 3 Final Plat	BJ	Yes	Yes			05/09/22	Yes			05/16/22		05/17/22	Yes			05/31/22					
221008.80-001	MAGNC	Magnolia Ridge Forest Section 17 Final Plat	BJ	Yes	Yes			05/11/22	Yes			05/12/22		06/27/22	Yes			In Progress					
221080.80-001	MAGNC	Mustang Ridge North Detention Pond	TC	Yes	Yes	Yes		05/23/22	Yes			06/02/22											
221229.80-001	MAGNC	Magnolia Place Section 1 Preliminary Plat	CP	N/A	N/A	N/A	N/A	06/03/22	Yes			06/13/22											
221226.80-001	MAGNC	Mustang Ridge Section 3 WSDP	TC	Yes	Yes	Yes	No	06/04/22	Yes			06/14/22											
221258.80-001	MAGNC	Mill Creek Estates Phase IV Mass Grading and Detention	TDH	No	No			06/09/22	Yes			06/17/22											
221273.80-001	MAGNC	Escondido Section 5 WSDP	TDH	Yes	No			06/10/22	Yes			06/22/22											
221290.80-001	MAGNC	Mustang Ridge Lift Station No. 2	CP	Yes	Yes	Yes	No	06/13/22	Yes			06/27/22											
221339.80-001	MAGNC	Escondido Sec 5 Final Plat	CRE	Yes	Yes	Yes		06/27/22	Yes			In Progress											
221399.80-001	MAGNC	Mill Creek Estates Sec 8 WSDP	TDH	Yes	Yes	No		06/27/22	Yes			In Progress											
	MAGNC	Escondido Sec 7 Final Plat	CRE	Yes	Yes	Yes		06/28/22	Yes			In Progress											

1. All plan review requests go directly to REG from MAK. Send to JCN when REG is out of office.
2. All agency-approved plan sets or plats are to be sent to the Production Manager to save in the appropriate spot on the server.
3. CenterPoint maps expires 6 months after the request.
4. AT&T maps expire 12 months after the request.