



## NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL

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### AGENDA

**PUBLIC HEARING & REGULAR CITY COUNCIL MEETING**  
**TUESDAY, NOVEMBER 8, 2022 – 7:00 P.M.**  
Sewall Smith Council Chambers  
18111 Buddy Riley Boulevard, Magnolia, Texas 77354

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#### 1. CALL MEETING TO ORDER

- a. INVOCATION
- b. PLEDGE OF ALLEGIANCE
- c. ROLL CALL AND CERTIFICATION OF A QUORUM

#### 2. 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.*

#### 3. OPEN PUBLIC HEARING

##### NOTICE OF PUBLIC HEARING

On November 8, 2022 at 7:00 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 a combination of 4.926 acres of land being Property ID R201670, R201671, R201672, R481609 and R40491 situated in the Gamble Dawson Survey, Abstract No. 177, of Montgomery County, Texas, from Industrial, Public Use and Rural to Auto-Urban Commercial.

#### 4. CLOSE PUBLIC HEARING

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

**6. 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 Regular City Council Meeting held October 11, 2022.

**b. CONSIDERATION – APPROVE INVESTMENT PORTFOLIO FOR 3<sup>RD</sup> QUARTER ENDING SEPTEMBER 2022**

**7. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2022-029 TO CHANGE THE ZONING CLASSIFICATION FOR 4.926 ACRES OF LAND BEING PROPERTY ID R201670, R201671, R201672, R481609 AND R40491 SITUATED IN THE GAMBLE DAWSON SURVEY, ABSTRACT NO. 177, OF MONTGOMERY COUNTY, TEXAS, FROM INDUSTRIAL, PUBLIC USE AND RURAL TO AUTO-URBAN COMMERCIAL (Mayor Todd Kana)**

Consideration and possible action to adopt:

**ORDINANCE NO. O-2022-029**

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, AMENDING ITS ZONING ORDINANCE, BY APPROVING ZONING CLASSIFICATIONS CHANGE REQUESTS WITHIN THE CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS; AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT THE APPROVED ZONING CLASSIFICATION CHANGES; PROVIDING FOR SEVERABILITY; MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

**8. CONSIDERATION AND POSSIBLE ACTION TO REVIEW AND APPROVE MAGNOLIA RIDGE FOREST, SECTION 17, FINAL PLAT, +/- 50.434 ACRES (Mayor Todd Kana)**

**9. CONSIDERATION AND POSSIBLE ACTION TO REVIEW AND APPROVE MUSTANG RIDGE, SECTION 3, FINAL PLAT, +/- 25.522 ACRES (Mayor Todd Kana)**

**10. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE ADVERTISEMENT OF WATER WELL NO. 8 (Mayor Todd Kana)**

**11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BALLAST POINT CONSTRUCTION CHANGE ORDER NO. 2 FOR MODIFICATIONS TO CONTRACT DOCUMENTS IN THE AMOUNT OF \$364,168.00 (Mayor Todd Kana)**

12. **CONSIDERATION AND POSSIBLE ACTION REGARDING HEB AGREEMENT WITH CITY OF MAGNOLIA FOR THE PUMP STATION** (Mayor Todd Kana)
13. **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON TEMPORARY SOLUTION TO ADDRESS PRESSURE ISSUES ON THE EAST SIDE OF THE CITY, INCLUDING AMOUNT OF PARTICIPATION OF THE CITY** (Mayor Todd Kana)
14. **CONSIDERATION AND POSSIBLE ACTION TO ENGAGE LJA ENGINEERING ON ACQUISITION OF POTENTIAL WATER PLANT NO. 4 SITE LOCATED SOUTHEAST OF THE INTERSECTION OF WHISTLE STOP LANE AND MAGNOLIA BEND TRACE**  
(Mayor Todd Kana)
15. **CONSIDERATION AND POSSIBLE ACTION FOR CITY COUNCIL TO APPOINT INDIVIDUALS/ENTITIES TO THE TEAM REVIEWING AND MAKING RECOMMENDATIONS FOR CHANGES TO THE UNIFIED DEVELOPMENT CODE** (Mayor Todd Kana)
16. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE DROUGHT CONTINGENCY PLAN AMENDMENTS** (Mayor Todd Kana)
17. **CONSIDERATION – DESIGNATION OF REPRESENTATIVE AND ALTERNATE FOR HOUSTON-GALVESTON AREA COUNCIL 2022 GENERAL ASSEMBLY**  
(Mayor Todd Kana)
18. **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 TCEQ notice of potential violations on utility services and legal advice on water connections.**
19. **RECONVENE** into regular session and consider action, if any, on item(s) discussed in executive session.
20. **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)

## 21. 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](http://www.cityofmagnolia.com), in compliance with Chapter 551, Texas Government Code.

DATE \_\_\_\_\_  
TIME \_\_\_\_\_  
TAKEN DOWN \_\_\_\_\_



\_\_\_\_\_  
Kandice Garrett, City Secretary

## Hearst Newspapers, LLC Order Confirmation

<b><u>Ad Order Number</u></b>	<b><u>Customer</u></b>	<b><u>Payor Customer</u></b>	<b><u>PO Number</u></b>
0034237252	CITY OF MAGNOLIA	CITY OF MAGNOLIA	
<b><u>Sales Rep.</u></b>	<b><u>Customer Account</u></b>	<b><u>Payor Account</u></b>	<b><u>Ordered By</u></b>
0630-HOU	20017370	20017370	Christian Gable
<b><u>Order Taker</u></b>	<b><u>Customer Address</u></b>	<b><u>Payor Address</u></b>	<b><u>Customer Fax</u></b>
jvega	18111 BUDDY RILEY BLVD MAGNOLIA TX 773545864 USA	18111 BUDDY RILEY BLVD MAGNOLIA TX 773545864 USA	
<b><u>Order Source</u></b>	<b><u>Customer Phone</u></b>	<b><u>Payor Phone</u></b>	<b><u>Customer EMail</u></b>
Rep	2813562266	2813562266	
			<b><u>Special Pricing</u></b>

<b><u>Tear Sheets</u></b>	<b><u>Proofs</u></b>	<b><u>Affidavits</u></b>	<b><u>Blind Box</u></b>	<b><u>Promo Type</u></b>	<b><u>Materials</u></b>
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<b><u>Invoice Text</u></b>	<b><u>Ad Order Notes</u></b>
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Property ID R201670, R201671, R201672, R481609 and R40491

<b><u>Gross Amount</u></b>	<b><u>Net Amount</u></b>	<b><u>Tax Amount</u></b>	<b><u>Total Amount</u></b>	<b><u>Payment Method</u></b>	<b><u>Payment Amount</u></b>	<b><u>Amount Due</u></b>
79.61	\$79.61	\$0.00	\$79.61	Credit Card Pymt	\$0.00	\$79.61

<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0034237252-01	Legal	AdBooker	

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

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
2 X 11 li	

**NOTICE OF PUBLIC HEARING**  
 On November 8, 2022 at 7:00 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 a combination of 4.926 acres of land being Property ID R201670, R201671, R201672, R481609 and R40491 situated in the Gamble Dawson Survey, Abstract No. 177, of Montgomery County, Texas, from Industrial, Public Use and Rural to Auto-Urban Commercial

<b><u>Product</u></b>	<b><u>Placement</u></b>	<b><u>Position</u></b>	<b><u>First Run Date</u></b>	<b><u>Last Run Date</u></b>
HCN Cypress Creek Champions	Legals	Legal Notices	Wednesday, November 2, 2022	Wednesday, November 2, 2022
HCN Cypress Creek Cypress	Legals	Legal Notices	Wednesday, November 2, 2022	Wednesday, November 2, 2022
HCN Tomball Potpourri	Legals	Legal Notices	Wednesday, November 2, 2022	Wednesday, November 2, 2022
HOU Online	Legals	Legal Notices	Wednesday, November 2, 2022	Thursday, December 1, 2022



## MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA OCTOBER 11, 2022

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A meeting of the City Council was held on this date, October 11, 2022, beginning at 7:00 p.m. in the Sewall Smith Council Chambers, 18111 Buddy Riley Boulevard, Magnolia, Texas 77354.

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### 1. CALL MEETING TO ORDER

Mayor Pro Tem Richard Carby convened the meeting at 7:02 p.m.

a. INVOCATION

Mathew Dantzer delivered the invocation.

b. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Richard Carby led the Pledge of Allegiance to the U.S.A. and Texas flags.

c. ROLL CALL AND CERTIFICATION OF QUORUM

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

Absent: Mayor Todd Kana

Staff present: City Administrator Don Doering, City Secretary Kandice Garrett, Finance/HR Administrator Beverly Standley, Planning Coordinator Christian Gable, and Economic Development Director Rachel Steele

### 2. 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.*

1. Andrew Hook, 14876 Prickly Pear Cove, Magnolia, TX 77354, spoke in regard to having low pressure or no water pressure issues at his residence in Mill Creek Subdivision.

### **3. OPEN PUBLIC HEARING**

Mayor Pro Tem Carby opened the Public Hearing at 7:05 p.m.

#### **NOTICE OF PUBLIC HEARINGS REGARDING PROPOSED STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY OF MAGNOLIA, TEXAS AND MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 174**

The City Council of Magnolia, Texas (the “City”) will hold two public hearings regarding the adoption of a Strategic Partnership Agreement (the “Agreement”) between the City and Montgomery County Municipal Utility District No. 174 (“District”) and for the limited purpose annexation of territory in the District. Members of the public who wish to present testimony or evidence regarding the proposed Agreement shall be given an opportunity to do so. The hearings will be held on the following dates and locations:

September 13, 2022, 7:00 p.m., at 18111 Buddy Riley Boulevard, Magnolia, Texas 77354; and

October 11, 2022, 7:00 p.m., at 18111 Buddy Riley Boulevard, Magnolia, Texas 77354.

In addition to other terms, the proposed Agreement will provide for the conditions under which the City may annex the District for full purposes, as well as for limited purposes for the collection of sales and use taxes. A copy of the proposed Agreement and the metes and bounds of the territory may be obtained prior to the hearings in the office of the City Secretary at 18111 Buddy Riley Boulevard, Magnolia, Texas 77354.

Mayor Pro Tem Carby read aloud the Notice of Public Hearing. City Attorney Leonard Schneider advised Council that due to the area in the property description needing to be revised, the process needs to be reset. There were no speakers.

### **4. CLOSE PUBLIC HEARING**

Mayor Pro Tem Carby closed the Public Hearing at 7:07 p.m.

### **5. ADJOURN PUBLIC HEARING AND CONVENE OPEN REGULAR MEETING**

Mayor Pro Tem Carby closed the Public Hearing and convened the Regular Meeting at 7:07 p.m.

### **6. 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 Public Hearing and Regular City Council Meeting held September 13, 2022.

- b. **CONSIDERATION – APPROVE INVESTMENT PORTFOLIO FOR 3<sup>RD</sup> QUARTER ENDING SEPTEMBER 2022**
- c. **CONSIDERATION – APPROVE 2022 MAGNOLIA BIBLE CHURCH TURKEY TROT**  
Consideration and possible action to approve the MBC Turkey Trot Event for Thursday, November 24, 2022 from 8:30 a.m. until 11:30 a.m.
- d. **CONSIDERATION – APPROVE REQUEST FOR STREET CLOSURES NICHOLS SAWMILL, COMMERCE, 6<sup>TH</sup>, AND UNITY PARK FOR 2022 MAGNOLIA BIBLE CHURCH TURKEY TROT ROUTE THURSDAY, NOVEMBER 24, 2022 FROM 7:30 A.M. – 11:30 A.M.**

**MOTION:** Upon a motion to approve the Consent Agenda items a, c, and d made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.

- 7. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2022-028 AMENDING CHAPTER 94 “UTILITIES”, ARTICLE III OF THE CITY OF MAGNOLIA CODE OF ORDINANCES** (Mayor Todd Kana)  
Consideration and possible action to adopt:

ORDINANCE NO. O-2022-028  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS AMENDING CHAPTER 94 “UTILITIES” OF THE CODE OF ORDINANCES OF THE CITY OF MAGNOLIA, TEXAS BY AMENDING ARTICLE III; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Leonard Schneider explained that section 90-482 was enacted by Ordinance No. 134 and repealed by Ordinance No. 262 many years ago and was overlooked by the publishing company and put into the Code of Ordinances and should not be there. This ordinance cleans it up and deletes it.

**MOTION:** Upon a motion to approve Ordinance No. O-2022-028 made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.

- 8. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ALLCO, LLC CHANGE ORDER NO. 3 FOR MODIFICATIONS TO CONTRACT DOCUMENTS OF WASTEWATER PLANT EXPANSION PROJECT NOT TO EXCEED \$10,326** (Mayor Todd Kana)

City Engineer Mike Kurzy presented this item stating that this work is for tanks that were left out of the original contract.

**MOTION:** Upon a motion to approve Allco, LLC Change Order No. 3 or Modifications to Contract Documents of Wastewater Plant Expansion Project not to exceed \$10,326 made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.

**9. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO AWARD SMALL PURCHASE CONSTRUCTION CONTRACT FOR THE CITY OF MAGNOLIA CDBG-DR CONTRACT NO. 19-076-015-B364 – DRAINAGE IMPROVEMENT PROJECT**  
(Mayor Todd Kana)

City Engineer Mike Kurzy presented this item and reviewed the two bids received for the CDBG project: Ballast Point Construction at \$47,050.00 and LLG Construction at \$17,646.25. He recommended to council that they approve the lowest base bid from LLG and the alternate bid from LLG for the total amount of \$17,646.25.

**MOTION: Upon a motion to award Small Purchase Construction Contract to LLG Construction in the total amount of \$17,646.25 for the City of Magnolia CDBG-DR Contract No. 19-076-015-B364 – Drainage Improvement Project made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.**

**10. CONSIDERATION – APPOINTMENT(S) TO PLANNING AND ZONING COMMISSION**  
(Mayor Todd Kana)

Consideration and possible action to appoint member(s) to the Planning and Zoning Commission.

**MOTION: Upon a motion to appoint Robert Barker III to the Planning and Zoning Commission made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.**

**11. CONSIDERATION – RESCIND RESOLUTION NO. R-2022-029 SETTING DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON PROPOSED STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY OF MAGNOLIA AND MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 165 BY ADOPTING RESOLUTION NO. R-2022-032**  
(Mayor Todd Kana)

Consideration and possible action to adopt:

RESOLUTION NO. R-2022-032  
A RESOLUTION OF THE CITY OF MAGNOLIA, TEXAS, RESCINDING  
RESOLUTION R-2022-029.

City Attorney Leonard Schneider presented this item and noted that Council previously approved setting a public hearing for a Strategic Partnership Agreement for MUD 165, however at this time there is not any commercial property to be added within the District and he recommends the City does not do any annexation with the property. He will work with the developer to amend the agreement if necessary.

**MOTION: Upon a motion to approve Resolution No. R-2022-032 made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.**

## 12. 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 Water Rates Classification and the Magnolia Independent School District demand.**

Mayor Pro Tem Carby convened into Closed Executive Session at 7:12 p.m.

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

Mayor Pro Tem Carby adjourned the closed Executive Session and reconvened the Open Meeting at 7:17 p.m.

**MOTION: Upon a motion to ratify the agreement with the Ward Law Firm made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.**

## 14. ADMINISTRATION - DEPARTMENT REPORTS ACTIVITIES/UPDATES/ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST

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

Police Chief Kyle Montgomery briefly reviewed the report stats provided in the Council packet. He noted that the National Night Out event on Monday, October 10 was successful and had approximately 300 visitors and hopes it will grow annually. There was further discussion regarding the Renaissance Festival.

### b. ADMINISTRATION DEPARTMENT (City Administrator, Don Doering)

Frank Parker, 31602 Hanks Rd., Magnolia, TX 77355, spoke in regard to items in the City Engineer's Report provided in the Council packet noting that the Unified Development Code should not be developed prior to the Comprehensive Plan and his concerns that the stakeholder's group include a wide range of members from the community.

City Administrator Don Doering noted the City is looking to improve the UDC utilizing a taskforce and will bring it to Council for consideration at November's meeting. He briefly went over a summary of his administrative report and the financial report stating revenue is above budget and expenditures are under budget.

## 15. ADJOURN

**MOTION:** Upon a motion to adjourn made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0 and the meeting was adjourned at 7:23 p.m.



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Richard Carby, Mayor Pro Tem

**CERTIFICATION**

I certify that this is a true and correct copy of the minutes of the meeting of the City Council meeting held on October 11, 2022.

**ATTEST:**

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Kandice Garrett, City Secretary

# Investment Portfolio

Quarter Ending  
September 2022

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City of Magnolia  
Quarterly Investment Report  
Investment Officer's Certification  
For the Quarter Ended  
September, 2022

This report is prepared for the City of Magnolia in accordance with Chapter 2256 of the Public Funds Investment Act (PFIA), Section 2256.023(a). The PFIA states that "Not less than quarterly, the investment officer shall prepare and submit to the governing body of the entity a written report of the investment transactions for all funds covered by this chapter for the preceding reporting period." This report is signed by the City of Magnolia's Investment Officer(s) and includes the disclosures required in the PFIA. Market values were obtained from Woodforest Financial Services, Inc.(Raymond James Financial Services, Inc.)

The investment portfolio complied with the PFIA and the City of Magnolia's approved Investment Policy and Strategy throughout the period. All investment transactions made in the portfolio during this period were made on behalf of the City of Magnolia and were made in full compliance with the PFIA and the City of Magnolia's approved Investment Policy.

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

*DM Doering*  
\_\_\_\_\_  
City Administrator

*Tenerly J Standley*  
\_\_\_\_\_  
Finance Administrator/Investment Officer



## INVESTMENT SUMMARY

Beginning Balance	\$	788,477.30
Deposits	\$	-
Income	\$	730.69
Withdrawals	√ \$	-
Expenses	\$	-
Change in Market Value	\$	(47.50)
Ending Balance	<u>\$</u>	<u>789,160.49</u>

## FUNDS INVESTED

### DEBT SERVICE RESERVE FUNDS

2006 REVENUE BOND RESERVE \$ 35,000.00  
(k/n/a 2014 refunding bond)

2019 Tax & Revenue C/O √ \$ 500,000.00  
(N/K/A 2021 Tax Rev C/O)

### SPECIAL REVENUE FUNDS

HB445 \$ 150,000.00

### OPERATING FUNDS

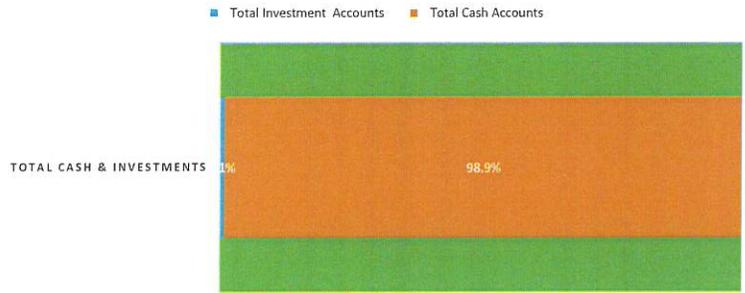
4B-COMMUNITY DEVELOPMENT CORP. \$ -

SUBTOTAL	\$	685,000.00
EARNINGS	\$	104,160.49
TOTAL	<u>\$</u>	<u>789,160.49</u>

√ Investment of \$2m was done to get below our bank LOC in the amount of \$25m, all except \$500k returned to acct.

**City of Magnolia Quarterly Investment Report**  
**Quarter Ending September 30, 2022**

Cash Accounts:		Prior	Market Value	Changes to		Accrued	Interest	% of	Maturity	Days	WAM
		Market Value		Market Value	Book Value						
Pooled Cash-Operating Fund	Woodforest Nat'l Bank	\$ 7,037,882.67	\$ 5,331,961.85	\$ (1,705,920.82)	\$ 5,331,961.85	n/a	n/a	12.1%	n/a	1	0.122
2022 Tax & Revenue C/O	Woodforest Nat'l Bank	\$ 1,000,000.00	\$ 1,000,000.00		\$ 1,000,000.00	na	na	2.3%	n/a	1	0.023
Scofflaw Fund	Woodforest Nat'l Bank	\$ -	\$ -	\$ -	\$ -	n/a	n/a	0.0%	n/a	1	0.000
City Administrator's Fund	Woodforest Nat'l Bank	\$ -	\$ -	\$ -	\$ -	n/a	\$ -	0.0%	n/a	1	0.000
Impact Fees	Woodforest Nat'l Bank	\$ 9,048,418.16	\$ 9,711,424.96	\$ 663,006.80	\$ 9,711,424.96	n/a	\$ 35,006.80	22.0%	n/a	1	0.223
Debt Service-2014 G/O Bond	Woodforest Nat'l Bank	\$ 101,928.18	\$ 102,313.57	\$ 385.39	\$ 102,313.57	n/a	\$ 385.39	0.2%	n/a	1	0.002
Capital Projects-2014 C/O	Woodforest Nat'l Bank	\$ 47.81	\$ 47.99	\$ 0.18	\$ 47.99	n/a	\$ 0.18	0.0%	n/a	1	0.000
Red Light Camera Fund	Woodforest Nat'l Bank	\$ 10,841.07	\$ 9.92	\$ (10,831.15)	\$ 9.92	n/a	\$ 9.92	0.0%	n/a	1	0.000
HB445 Fund	Woodforest Nat'l Bank	\$ 2,360,145.78	\$ 2,495,147.93	\$ 135,002.15	\$ 2,495,147.93	n/a	\$ 9,194.74	5.7%	n/a	1	0.057
HMOT Fund	Woodforest Nat'l Bank	\$ 130,209.30	\$ 133,840.00	\$ 3,630.70	\$ 133,840.00	n/a	n/a	0.3%	n/a	1	0.003
4A-Economic Dev Corp	Woodforest Nat'l Bank	\$ 2,384,116.14	\$ 2,627,079.18	\$ 242,963.04	\$ 2,627,079.18	n/a	\$ 9,499.08	6.0%	n/a	1	0.060
4B-Community Dev Corp	Woodforest Nat'l Bank	\$ 883,878.71	\$ 677,697.69	\$ (206,181.02)	\$ 677,697.69	n/a	\$ 2,593.84	1.5%	n/a	1	0.016
Escrow Agent -SJRA	Woodforest Nat'l Bank	\$ 605,021.35	\$ 701,247.40	\$ 96,226.05	\$ 701,247.40	n/a	n/a	1.6%	n/a	1	0.016
HUD (GLO) Fund	Woodforest Nat'l Bank	\$ 1,161,254.26	\$ 1,541,175.56	\$ 379,921.30	\$ 1,541,175.56	n/a	n/a	3.5%	n/a	1	0.035
IntraFI Network Deposit- Sweep Acct	Woodforest Nat'l Bank	\$ 19,005,420.12	\$ 19,005,420.12		\$ 19,005,420.12	n/a	n/a	43.1%	n/a	1	0.436
Raymond James MM Fund	Woodforest Financial Svcs	\$ 288,680.16	\$ 290,760.49	\$ 2,080.33	\$ 290,760.49	n/a	\$ 410.47	0.7%	n/a	1	0.007
<b>Total Cash Accounts</b>		<b>\$ 44,017,843.71</b>	<b>\$ 43,618,126.66</b>	<b>\$ (399,717.05)</b>	<b>\$ 43,618,126.66</b>	<b>n/a</b>	<b>\$ 57,100.42</b>	<b>98.9%</b>			
<b>Investment Accounts:</b>											
Encore Bank Little Rock	Woodforest Financial Svcs	\$ -	\$ 250,000.00	\$ -	\$ 249,222.50		\$ 256.85		11/30/2022	62	31.00
Bankwell Bank	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
Industrial & Comm'l Bank	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
Israel Discount Bk of NY	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
Preferred Bk Los Angeles	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
Safra National Bank	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
Cambridge Savings	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
Great Southern Bank	Woodforest Financial Svcs		\$ 250,000.00	\$ -	\$ 249,177.50		\$ 642.47		12/8/2022	70	35.00
Beal Bank	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
Mizuho Bank	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
NorthPointe Bk Grand Rapids	Woodforest Financial Svcs	\$ -	\$ -	\$ -	\$ -		\$ -			0	0.00
<b>Total Investment Accounts</b>		<b>\$ -</b>	<b>\$ 500,000.00</b>	<b>\$ -</b>	<b>\$ 498,400.00</b>	<b>\$ -</b>	<b>\$ 899.32</b>	<b>1.1%</b>			
<b>Total Cash &amp; Investments</b>		<b>\$ 44,017,843.71</b>	<b>\$ 44,118,126.66</b>	<b>\$ (399,717.05)</b>	<b>\$ 44,116,526.66</b>	<b>\$ -</b>	<b>\$ 57,999.74</b>	<b>100.0%</b>			



## City of Magnolia Account Summary

Brokerage

Account No. 22424987

Closing Value \$789,160.49

CITY OF MAGNOLIA  
18111 BUDDY RILEY BLVD  
MAGNOLIA TX 77354-5864119

PAUL LANCASTER, JASON HARRIS  
Raymond James Financial Services, Inc.  
1330 Lake Robbins Dr | Ste 150 | The Woodlands, TX 77380 | (832) 375-2713  
plancaster@woodforestwealth.com

Raymond James Client Services | 800-647-SERV (7378)  
Monday - Friday 8 a.m. to 9 p.m. ET  
Online Account Access | raymondjames.com/clientaccess

### Account Purpose

Provide Income with a conservative risk tolerance and a 5 to 10 year time horizon.

### Activity

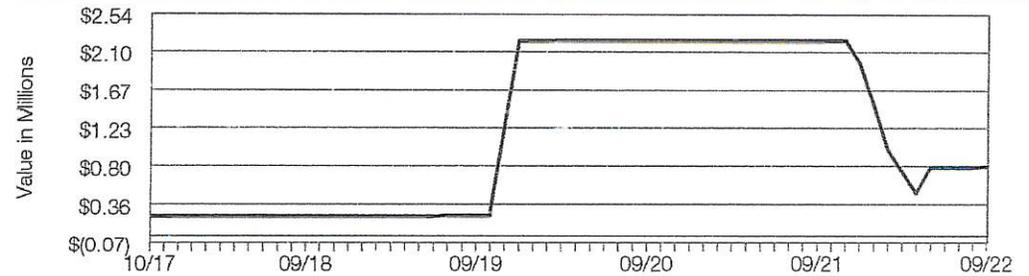
	This Statement		Year to Date	
Beginning Balance	\$	788,477.30	\$	1,987,044.53
Deposits	\$	0.00	\$	300,000.00
Income	\$	730.89	\$	3,126.96
Withdrawals	\$	0.00	\$	(1,500,000.00)
Expenses	\$	0.00	\$	0.00
Change in Value	\$	(47.50)	\$	(1,011.00)
Ending Balance	\$	789,160.49	\$	789,160.49

### Dollar-Weighted Performance

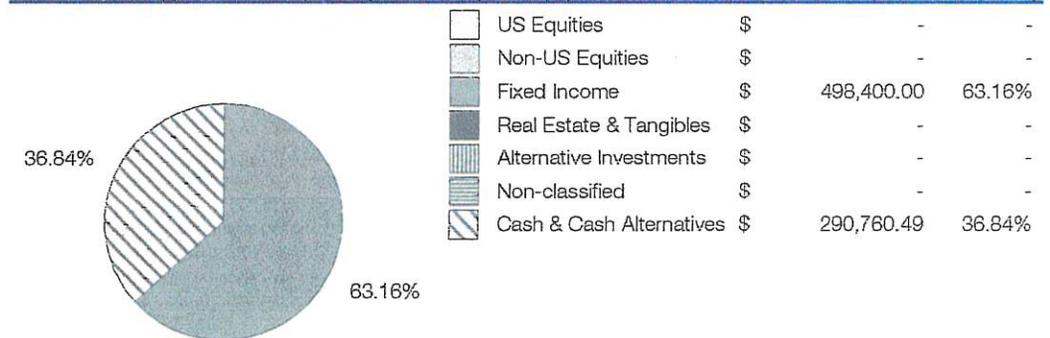
See Understanding Your Statement for important information about these calculations.

Performance Inception 02/10/10	This Quarter	YTD	2021	2020	Annualized Since 02/10/2010
	0.25%	0.21%	0.05%	0.16%	0.73%

### Value Over Time



### Asset Allocation Analysis



Morningstar asset allocation information is as of 09/29/2022 (mutual funds & annuities) and 09/20/2022 (529s).

**Cash & Cash Alternatives**

**Raymond James Bank Deposit Program †**

Description	(Symbol)	Value	Estimated Income Yield	Estimated Annual Income
<b>Raymond James Bank Deposit Program † - Selected Sweep Option</b>				
US Bank National Association		\$245,149.05	1.00%	\$2,907.60
CIBC Bank USA		\$45,611.44		
<b>Raymond James Bank Deposit Program Total</b>		<b>\$290,760.49</b>		<b>\$2,907.60</b>

Your bank priority state: TX

Participating banks you declined: West Bank, Truist Bank, Goldman Sachs Bank USA, Raymond James Bank, First Mid Bank and Trust NA, Citibank NA, Tristate Capital Bank, PNC Bank N.A., The Bank of East Asia Ltd, Extraco Banks NA, Synchrony Bank, Cadence Bank NA, Bank of Baroda, American Express National B, Umpqua Bank, NexBank, HSBC Bank USA NA, JPMorgan Chase Bank NA, INTRUST Bank NA and Metro City Bank

Participating banks recently added: Webster Bank 08/31/2022; UBS Bank USA 08/01/2022

† Please see the Raymond James Bank Deposit Program on the Understanding Your Statement page.

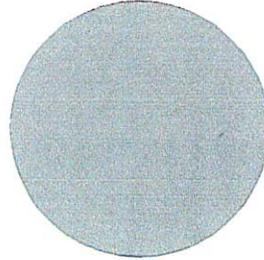
Estimated Income Yield for RJBDP was calculated as of 09/26/2022.

<b>Cash &amp; Cash Alternatives Total</b>		<b>\$290,760.49</b>		<b>\$2,907.60</b>
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Fixed Income \*

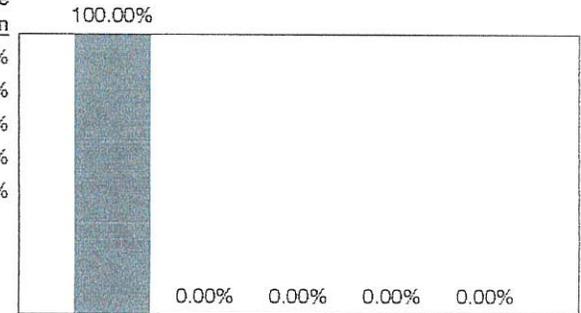
Credit Quality Analysis

Lowest Available *	Current Period Value	Percentage Allocation
U.S. Treasury	\$ 0.00	0.00%
Agency/GSE Debt	\$ 0.00	0.00%
ABS/MBS/CMOs	\$ 0.00	0.00%
Certificates of Deposit (CDs)	\$ 498,400.00	100.00%
AAA	\$ 0.00	0.00%
AA	\$ 0.00	0.00%
A	\$ 0.00	0.00%
BAA	\$ 0.00	0.00%
Below Investment Grade	\$ 0.00	0.00%
Not Rated	\$ 0.00	0.00%



Maturity Analysis

Maturity	Current Period Value	Percentage Allocation
0 to < 1 yr	\$ 498,400.00	100.00%
1 to < 3 yrs	\$ 0.00	0.00%
3 to < 7 yrs	\$ 0.00	0.00%
7 to < 14 yrs	\$ 0.00	0.00%
14 to > yrs	\$ 0.00	0.00%



\* Based on Moody's, S&P and Fitch (municipals only) Long Term Rating

Certificates of Deposit (CDs)

Description (Account Number or CUSIP)	Par Value	Estimated Annual Income	Date Acquired	Price	Value	Accrued Interest	Total Cost Basis/ Gain or (Loss)	Adjusted Cost/ Gain or (Loss)
ENCORE BANK LITTLE ROCK, AR FDIC # 34582 CERTIFICATE OF DEPOSIT MONTHLY 1.2500% DUE 11/30/2022 (29260MCC7) Ratings Information: Not Rated	\$250,000.00	\$3,125.00	05/26/2022	\$99.689	\$249,222.50		\$250,000.00 \$(777.50)	\$250,000.00 <sup>A</sup> \$(777.50)





## Activity Summary

Deposits			Withdrawals			Purchases		
Type	This Statement	Year to Date	Type	This Statement	Year to Date	Type	This Statement	Year to Date
Deposits	\$0.00	\$300,000.00	Withdrawals	\$0.00	\$(1,500,000.00)	Purchases	\$0.00	\$(500,000.00)
<b>Total Deposits</b>	<b>\$0.00</b>	<b>\$300,000.00</b>	<b>Total Withdrawals</b>	<b>\$0.00</b>	<b>\$(1,500,000.00)</b>	<b>Total Purchases</b>	<b>\$0.00</b>	<b>\$(500,000.00)</b>

Income			Sales / Redemptions		
Type	This Statement	Year to Date	Type	This Statement	Year to Date
Interest - Taxable	\$554.11	\$2,686.73	Redemptions	\$0.00	\$1,650,000.00
Interest at RJ Bank Deposit Program	\$176.58	\$440.23	<b>Total Sales/Redemptions</b>	<b>\$0.00</b>	<b>\$1,650,000.00</b>
<b>Total Income</b>	<b>\$730.69</b>	<b>\$3,126.96</b>			

## Activity Detail

Date	Activity Category	Activity Type	Description (Symbol or CUSIP)	Quantity	Price	Amount	Cash Balance	Additional Detail
			<b>Beginning Balance</b>				\$290,029.80	
09/08/2022	Income	Interest - Taxable	GREAT SOUTHERN BANK REEDS SPRING, MO FDIC # 29546 CERTIFICATE OF DEPOSIT MONTHLY 1.4000% DUE 12/08/2022 (39120VSZ8)			\$297.26	\$290,327.06	Paid on 250,000
09/30/2022	Income	Interest at RJ Bank Deposit Program	Raymond James Bank Deposit Program			\$176.58	\$290,503.64	
09/30/2022	Income	Interest - Taxable	ENCORE BANK LITTLE ROCK, AR FDIC # 34562 CERTIFICATE OF DEPOSIT MONTHLY 1.2500% DUE 11/30/2022 (29260MCC7)			\$256.85	\$290,760.49	Paid on 250,000



## Future Payments

### Future Interest Payments <sup>o</sup>

Description	(Symbol or CUSIP)	Record Date	Payable Date	Estimated Amount	Additional Detail
GREAT SOUTHERN BANK REEDS SPRING, MO FDIC # 29546 CERTIFICATE OF DEPOSIT MONTHLY 1.4000% DUE 12/08/2022 (39120VSZ3)		09/22/2022	10/08/2022	\$287.67	1.40% coupon x 250,000.000 par value
<b>Future Interest Payments Total</b>				<b>\$287.67</b>	

<sup>o</sup> Please see Future Payments on the Understanding Your Statement page.

## Realized Capital Gains & Losses <sup>o</sup>

### Short Term

Description	(Symbol or CUSIP)	Quantity	Opening Date	Opening Amount	Closing Date	Closing Amount	Gain or (Loss) Pct.	Gain or (Loss)
BEAL BANK SSB PLANO, TX FDIC # 32574 CERTIFICATE OF DEPOSIT PAYS AT MATURITY .0500% DUE 02/02/2022 (07371ALP6)		250,000.000	07/28/2021	\$250,000.00	02/02/2022	\$250,000.00	0.00%	\$0.00
NORTHPOINTE BK GRAND RAPIDS, MI FDIC # 34953 CERTIFICATE OF DEPOSIT PAYS AT MATURITY .1200% DUE 02/28/2022 (666613JR6)		250,000.000	11/23/2021	\$250,000.00	02/28/2022	\$250,000.00	0.00%	\$0.00
GOLDMAN SACHS BANK USA NEW YORK, NY FDIC # 33124 CERTIFICATE OF DEPOSIT PAYS AT MATURITY .1000% DUE 04/08/2022 (38149MC43)		250,000.000	10/01/2021	\$250,000.00	04/08/2022	\$250,000.00	0.00%	\$0.00
<b>Net Short-Term Gain / Loss Total</b>				<b>\$750,000.00</b>		<b>\$750,000.00</b>	<b>0.00%</b>	<b>\$0.00</b>

<sup>o</sup> Please see Cost Basis on the Understanding Your Statement page.

### Long Term

Description	(Symbol or CUSIP)	Quantity	Opening Date	Opening Amount	Closing Date	Closing Amount	Gain or (Loss) Pct.	Gain or (Loss)
ISRAEL DISCOUNT BK OF NY NEW YORK, NY FDIC # 19977 CERTIFICATE OF DEPOSIT PAYS AT MATURITY .0500% DUE 01/28/2022 (465076RZ2)		250,000.000	01/26/2021	\$250,000.00	01/28/2022	\$250,000.00	0.00%	\$0.00
SAFRA NATIONAL BANK NEW YORK, NY FDIC # 26876 CERTIFICATE OF DEPOSIT PAYS AT MATURITY .0500% DUE 02/03/2022 (78658REN7)		250,000.000	02/02/2021	\$250,000.00	02/03/2022	\$250,000.00	0.00%	\$0.00

**Realized Capital Gains & Losses (continued)** <sup>o</sup>

**Long Term (continued)**

Description (Symbol or CUSIP)	Quantity	Opening Date	Opening Amount	Closing Date	Closing Amount	Gain or (Loss) Pct.	Gain or (Loss)
INDUSTRIAL & COMML BK CHINA USA NEW YORK, NY FDIC # 24387 CERTIFICATE OF DEPOSIT SEMI-ANNUAL .1000% DUE 05/27/2022 (45581ECC3)	250,000.000	01/27/2021	\$250,000.00	05/27/2022	\$250,000.00	0.00%	\$0.00
PREFERRED BK LOS ANGELES, CA FDIC # 33539 CERTIFICATE OF DEPOSIT MONTHLY .0500% DUE 06/30/2022 (740367MM6)	150,000.000	01/25/2021	\$149,625.00	06/30/2022	\$150,000.00	0.25%	\$375.00
<b>Net Long-Term Gain / Loss Total</b>			\$899,625.00		\$900,000.00	0.04%	\$375.00

<sup>o</sup> Please see Cost Basis on the Understanding Your Statement page.

**Summary of Gains & Losses**

	Year To Date
Short-Term Gain	\$0.00
Short-Term Loss	\$0.00
Long-Term Gain	\$375.00
Long-Term Loss	\$0.00
<b>Net Gain / Loss Total</b>	<b>\$375.00</b>



**ORDINANCE NO. O-2022-029**

**AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, AMENDING ITS ZONING ORDINANCE, BY APPROVING ZONING CLASSIFICATIONS CHANGE REQUESTS WITHIN THE CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS; AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT THE APPROVED ZONING CLASSIFICATION CHANGES; PROVIDING FOR SEVERABILITY; MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.**

\* \* \* \* \*

**Whereas**, certain property owners have requested that certain tracts listed and identified in the attached Exhibit “A” in the City of Magnolia, Montgomery County, Texas, (the "Properties"), be rezoned; and

**Whereas**, the property owner(s) have presented applications to the City for the rezoning of the Properties; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of the public hearings and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held the required public hearings on each of the requested re-zonings; and

**Whereas**, the Planning & Zoning Commission recommended in its final reports that City Council approve each of the requested re-zonings; and

**Whereas**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested re-zoning, the City Council held the public hearings for each requested re-zoning and the City Council considered the final report of the Planning & Zoning Commission; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, THAT:**

**Section 1.** The City Council finds that the facts and matters set forth in the preamble of this Ordinance are true and correct.

**Section 2.** The zoning classification of the Properties are hereby changed as shown in the attached Exhibit “A”.

**Section 3.** The Official Zoning Map of the City of Magnolia shall be revised and amended to show the approved requested re-zoning.

**Section 4.** This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Magnolia, save and except the change in zoning classifications of the Properties as identified and listed in the attached Exhibit “A”.

**Section 5.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Magnolia, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 8.** City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Texas Gov't. Code Chapter 551.

**PASSED AND APPROVED** on this the 8<sup>th</sup> day of November, 2022.



THE CITY OF MAGNOLIA, TEXAS

\_\_\_\_\_  
Todd Kana, Mayor

ATTEST:

\_\_\_\_\_  
Kandice Garrett, City Secretary

## EXHIBIT A

- Montgomery County CAD Map ID R201670, R201671, R201672, R481609 and R40491: Change in zoning district from Industrial, Public Use and Rural to Auto-Urban Commercial.

The \_\_\_\_\_ (name of owner) tract \_\_\_\_\_ (address if one).

Described as:

Being a 4.926 acres of land ~~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. 33-8-10-2312, of the Real Property Records of Montgomery County, Texas.~~

## Rezoning Report Carrillo Brothers Corp.

Report Date: October 26, 2022

To: Planning & Zoning Commission

From: Christian Gable, Planning Coordinator

RE: City of Magnolia Planning & Zoning Meeting, November 8, 2022 Public Hearing and Agenda Item

### Summary:

Request by Carrillo Brothers Corp. for 4.926 acres; Property ID R201670, R201671, R201672, R481609 and R40491 situated in the Gamble Dawson Survey, Abstract No. 177, of Montgomery County, Texas;

Request to rezone property from Industrial (IN), Rural (RU), Public Use (PU), and Auto-Urban Commercial (AC) to only Auto-Urban Commercial (AC).

### Planning Comments:

According to ***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 Auto-Urban Commercial.

The proposed land-use by the applicant, according to the application, is "Restaurant/Commercial Retail". ***City of Magnolia Unified Development Code Chapter 2 Article 2 Table 2-2-1.02 Land Uses*** finds both restaurants and commercial retail to be permissible in the Auto-Urban Commercial Zoning District.

The given land shares property lines with other Auto-Urban Commercial and Industrial-zoned properties, so rezoning would compliment the surrounding area.

Platting process has already begun to make these properties into one.

**\*\*APPROVED BY PLANNING & ZONING\*\***

### Action Recommendation:

Approve rezoning request by Carrillo Brothers Corp. for a combination of 4.926 acres of land being Property ID R201670, R201671, R201672, R481609 and R40491 situated in the Gamble Dawson Survey, Abstract No. 177, of Montgomery County, Texas, from Industrial, Public Use and Rural to Auto-Urban Commercial.



### Rezoning Application Form

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

#### CONTACT INFORMATION

Applicant

Armando Reyna

Name

10422 Black Sands Dr.

Street Address

Houston, TX. 77095

City, State Zip

281.855.8495

Phone

832.262.4563

Fax

K-Reyna @ att.net

E-mail

Architect (if different)

Archigraphics Decon

Name

#131

9923 Willowbridge Park Blvd

Street Address

77064

Houston, TX 77064

City, State Zip

713.471.1293

Phone

281.821.6647

Fax

Archigraphics@sbcglobal.net

E-mail

Property Owner (if different)

Carillo Brothers Corp.

Name

30134 State Hwy 249

Street Address

Tomball, TX 77375

City, State Zip

Phone

Fax

E-mail

Engineer/Land Surveyor (if different)

Civil Land Surveyors of Texas

Name

10422 Black Sands Dr.

Street Address

Houston, TX. 77095

City, State Zip

281.855.8495

Phone

832.262.4563

Fax

Houstonplanning@gmail.com

E-mail

PROPERTY PROFILE

Property ID # R-201470, R201471, R201472  
R-40491 + R481609

Legal Description 4.924 Acres situated in the Gambel Dawson  
(Subdivision) (Lot) (Block) Survey, Abst. 177

Current Zoning \_\_\_\_\_

Proposed Zoning Suburban Village (SV) Changed to AC after reviewing zoning options

Present Use of Property  
LAND is currently vacant/undeveloped

Proposed Use of the Property  
Commercial Reserve - Restaurant (commercial Retail)

Total Area of Site ~~4.9~~ 4.926 Acres

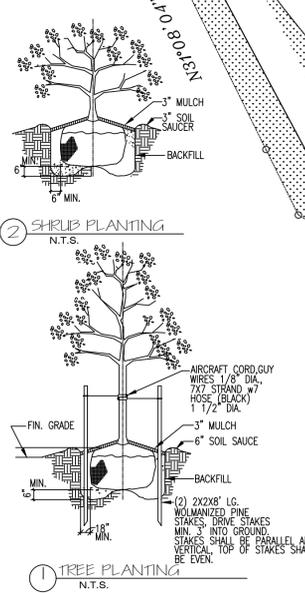
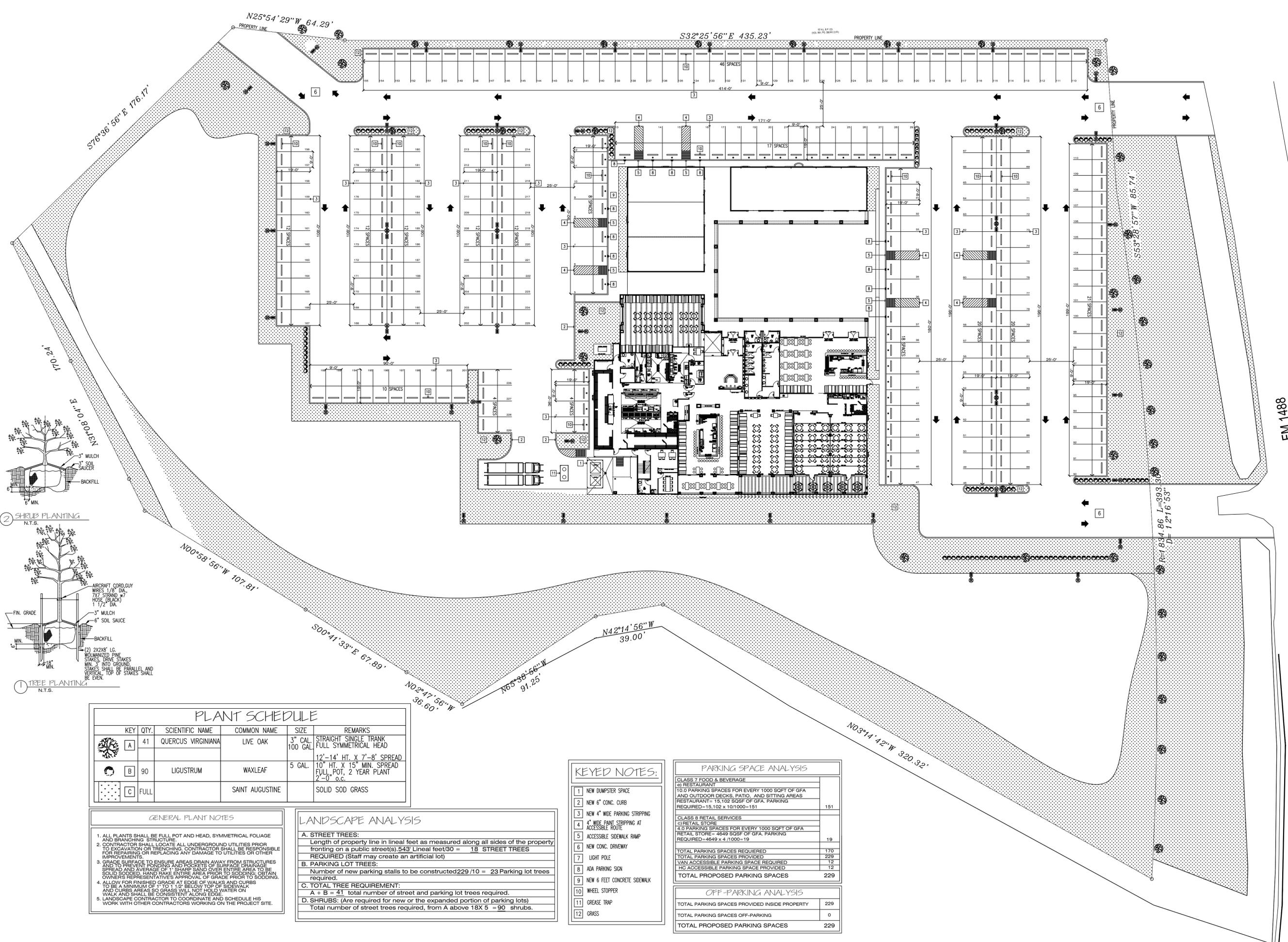
The rezoning is requested due to the following reason(s)  
We are proposing a new restaurant and need to  
be able to sell alcoholic beverages.

Fees  YES  NO

I, ALMANDO RENE (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]  
Signature of Applicant

08/15/2022  
Date



PLANT SCHEDULE					
KEY	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE	REMARKS
	41	QUERCUS VIRGINIANA	LIVE OAK	3" CAL. 100 GAL.	STRAIGHT SINGLE TRUNK FULL SYMMETRICAL HEAD
	90	LIGUSTRUM	WAXLEAF	5 GAL.	12'-14" HT. X 7'-8" SPREAD 10" HT. X 15" MIN. SPREAD FULL POT, 2 YEAR PLANT 2'-0" o.c.
	FULL		SAINT AUGUSTINE		SOLID SOD GRASS

**GENERAL PLANT NOTES**

- ALL PLANTS SHALL BE FULL POT AND HEAD, SYMMETRICAL FOLIAGE AND BRANCHING STRUCTURE.
- CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION OR TRENCHING. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY DAMAGE TO UTILITIES OR OTHER IMPROVEMENTS.
- GRADE SURFACES TO ENSURE AREAS DRAIN AWAY FROM STRUCTURES AND TO PREVENT PONDING AND POCKETS OF SURFACE DRAINAGE. SPREAD AND AVERAGE OF 1" SHARP SAND OVER ENTIRE AREA TO BE SOLID SODDED. HAND RAKE ENTIRE AREA PRIOR TO SODDING. OBTAIN OWNER'S REPRESENTATIVE'S APPROVAL OF GRADE PRIOR TO SODDING.
- ALLOW FOR FINISHED GRADE AT EDGE OF WALKS AND CURBS TO BE A MINIMUM OF 1" TO 1 1/2" BELOW TOP OF SIDEWALK AND CURBS. WALK AND CURBS WILL NOT HOLD WATER ON WALK AND SHALL BE CONSISTENT ALONG EDGE.
- LANDSCAPE CONTRACTOR TO COORDINATE AND SCHEDULE HIS WORK WITH OTHER CONTRACTORS WORKING ON THE PROJECT SITE.

**LANDSCAPE ANALYSIS**

**A. STREET TREES:**  
Length of property line in lineal feet as measured along all sides of the property fronting on a public street(s) 543' Lineal feet/30 = 18 STREET TREES REQUIRED (Staff may create an artificial lot)

**B. PARKING LOT TREES:**  
Number of new parking stalls to be constructed 229 / 10 = 23 Parking lot trees required.

**C. TOTAL TREE REQUIREMENT:**  
A + B = 41 total number of street and parking lot trees required.

**D. SHRUBS: (Are required for new or the expanded portion of parking lots)**  
Total number of street trees required, from A above 18 x 5 = 90 shrubs.

- KEYED NOTES:**
- NEW DUMPSTER SPACE
  - NEW 6" CONC. CURB
  - NEW 4" WIDE PARKING STRIPPING
  - 4" WIDE PAINT STRIPPING AT ACCESSIBLE ROUTE
  - ACCESSIBLE SIDEWALK RAMP
  - NEW CONC. DRIVEWAY
  - LIGHT POLE
  - ADA PARKING SIGN
  - NEW 6 FEET CONCRETE SIDEWALK
  - WHEEL STOPPER
  - GREASE TRAP
  - GRASS

**PARKING SPACE ANALYSIS**

CLASS 7 FOOD & BEVERAGE	
RESTAURANT	151
10.0 PARKING SPACES FOR EVERY 1000 SQFT OF GFA AND OUTDOOR DECKS, PATIO, AND SITTING AREAS	
RESTAURANT = 15,102 SQSF OF GFA. PARKING REQUIRED = 15,102 x 10/1000 = 151	
CLASS 8 RETAIL SERVICES	
RETAIL STORE	19
4.0 PARKING SPACES FOR EVERY 1000 SQFT OF GFA	
RETAIL STORE = 4649 SQSF OF GFA. PARKING REQUIRED = 4649 x 4 / 1000 = 19	
TOTAL PARKING SPACES REQUIRED	170
TOTAL PARKING SPACES PROVIDED	229
VAN ACCESSIBLE PARKING SPACE REQUIRED	12
1 PC ACCESSIBLE PARKING SPACE PROVIDED	12
TOTAL PROPOSED PARKING SPACES	229

**OFF-PARKING ANALYSIS**

TOTAL PARKING SPACES PROVIDED INSIDE PROPERTY	229
TOTAL PARKING SPACES OFF-PARKING	0
TOTAL PROPOSED PARKING SPACES	229

Client Name: RANCHO GRANDE  
 Office Signature of Approval: \_\_\_\_\_  
 Date: \_\_\_\_\_

Archigraphics DECON  
 RESIDENTIAL & COMMERCIAL  
 13922 WILLOW CREEK DR., #C  
 HOUSTON, TEXAS 77066  
 Tel: (281) 893-9754  
 Fax: (281) 893-3734  
 www.archgraphics-vrd.com

DESIGNED BY: EMC  
 DRAWN BY: MMC  
 CHECKED BY: EMC  
 DATE: \_\_\_\_\_

Scale: AS MARKED  
 Job #: \_\_\_\_\_

Sheet No.: 5 of SITE

THIS PLAN, IDEAS AND SPECIFICATIONS ARE PROPERTY OF ARCHIGRAPHICS DECON. THE CLIENT'S RIGHT IS CONDITIONAL AND LIMITED TO ONE-TIME USE TO CONSTRUCT A SINGLE PROJECT. THE USE OR REPRODUCTION OF THIS PLAN IS PROHIBITED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF ARCHIGRAPHICS DECON.

REVISIONS	
1	
2	
3	
4	
5	
6	

FM 1488  
 (R.O.W. VARIES)



# Exhibit A

**Tract 1:** 2.211 Acres of Property ID R40491, being 2.211 acres of land situated in the Gamble Dawson Survey, Abstract No. 177 in Montgomery County, Texas

**Tract 2:** 2.04 Acres of Property ID R40491, being 2.04 acres of land situated in the Gamble Dawson Survey, Abstract No. 177 in Montgomery County, Texas

**Tract 3:** 0.16 Acres of Property ID R201670, being 0.16 acres of land situated in the Gamble Dawson Survey, Abstract No. 177 in Montgomery County, Texas

**Tract 4:** 0.275 Acres of Property ID R201671, being 0.275 acres of land situated in the Gamble Dawson Survey, Abstract No. 177 in Montgomery County, Texas

**Tract 5:** 0.317 Acres of Property ID R201672, being 0.317 acres of land situated in the Gamble Dawson Survey, Abstract No. 177 in Montgomery County, Texas

(0.49 Acres of Right-of-Way is subtracted from total acreage)

NORRIS G SCHEKNER SR & MEMORIAL HOME ASSOCIATION CALLED 3.89 ACRE (M.C.C.F. NO. 2019022750)

JEFFREY NICHOLS & DEBORAH NICHOLS CALLED 10.0 ACRE (M.C.C.F. NO. 2005-073441)

DAVID SWEARENGIN & JENNIFER SWEARENGIN CALLED 6.25 ACRE (M.C.C.F. NO. 2018033827)

RICHARD M THORMAN CALLED 1.97 ACRE (VOL. 433, PG. 260 M.C.D.R.)

JERRY L HENDRICKS EULA D HENDRICKS CALLED 0.25 ACRE (M.C.C.F. NO. 2017098833)

LUIS SILVA AND MICHELLE SILVA CALLED 0.93 ACRE (M.C.C.F. NO. 2018031597)

CALLLED TRACT 5 (M.C.C.F. NO. 2016024538)

CALLLED TRACT 4 (M.C.C.F. NO. 2016024538)

CALLLED TRACT 3 (M.C.C.F. NO. 2016024538)

CARRILLO BROTHERS CORPORATION CALLED 0.49 ACRE - 60' RIGHT-OF-WAY (M.C.C.F. NO. 2016024538)

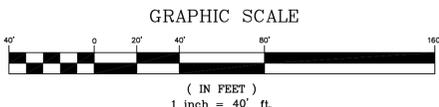
CARRILLO BROTHERS CORPORATION CALLED 0.49 ACRE (M.C.C.F. NO. 2016024538)

CALLLED TRACT 2 (M.C.C.F. NO. 2016024538)

JERRY L HENDRICKS AND EULA D HENDRICKS CALLED 0.28 ACRE (M.C.C.F. NO. 2016018554)

CALLLED TRACT 1 (M.C.C.F. NO. 2016024538)

**BENCHMARK USED:**  
Floodplain Reference Mark Number 100195 is a N.G.S. brass disk stamped A1281, located from the intersection of FM 1488 and FM 1774, southeast along FM 1774 0.4 miles to Nichols Sawmill Rd. South along Nichols Sawmill Rd. 0.8 miles to the benchmark on the right, in KeyMap 212N in the Spring Creek Watershed near stream J100-00-00. ELEV. = 231.72 Feet, NAVD 1988, 2001 Adjusted.



- LEGEND:**
- U.E. — UTILITY EASEMENT
  - W.L.E. — WATERLINE EASEMENT
  - R.O.W. — RIGHT OF WAY
  - B.L. — BUILDING LINE
  - P.L. — PROPERTY LINE
  - ⊙ — CONTROLLING MONUMENT
  - FH — FIRE HYDRANT
  - WM — WATER METER
  - EM — ELECTRIC METER
  - MH — MANHOLE
  - PP — POWER POLE
  - CP — CABLE PEDESTAL
  - PLM — PIPELINE MARKER
  - WV — WATER VALVE
  - < > — CALLED DISTANCE
  - ( ) — MEASURED DISTANCE
  - ICV — IRRIGATION CONTROL VALVE
  - CO — CLEAN OUT
  - GA — GUY ANCHOR

**LEGAL DESCRIPTION PER TRACT:**

**TOPOGRAPHIC SURVEY**

**TRACT 1:** BEING A CALLED 2.211 ACRES OF LAND, SITUATED IN THE GAMBLE DAWSON SURVEY, ABSTRACT NO. 177, IN MONTGOMERY COUNTY, TEXAS AND PART OF A CALLED 18.0 ACRE TRACT, CONVEYED TO WAYNE YANCEY DESCRIBED IN VOLUME 654, PAGE 482, DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, AND BEING FULLY DESCRIBED BY METES AND BOUNDS UNDER MONTGOMERY CLERK'S FILE NUMBER (M.C.C.F.) 2016024538, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF MONTGOMERY COUNTY, TEXAS.

**TRACT 2:** BEING A CALLED 2.04 ACRES OF LAND, SITUATED IN THE GAMBLE DAWSON SURVEY, ABSTRACT NO. 177, IN MONTGOMERY COUNTY, TEXAS AND PART OF A CALLED 18.0 ACRE TRACT, CONVEYED TO WAYNE YANCEY DESCRIBED IN VOLUME 654, PAGE 482, DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, AND BEING FULLY DESCRIBED BY METES AND BOUNDS UNDER MONTGOMERY CLERK'S FILE NUMBER (M.C.C.F.) 2016024538, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF MONTGOMERY COUNTY, TEXAS.

**TRACT 3:** BEING A CALLED 0.16 ACRES OF LAND, SITUATED IN THE GAMBLE DAWSON SURVEY, ABSTRACT NO. 177, IN MONTGOMERY COUNTY, TEXAS AND PART OF A CALLED 18.0 ACRE TRACT, CONVEYED TO WAYNE YANCEY DESCRIBED IN VOLUME 654, PAGE 482, DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, AND BEING FULLY DESCRIBED BY METES AND BOUNDS UNDER MONTGOMERY CLERK'S FILE NUMBER (M.C.C.F.) 2016024538, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF MONTGOMERY COUNTY, TEXAS.

**TRACT 4:** BEING A CALLED 0.275 ACRES OF LAND, SITUATED IN THE GAMBLE DAWSON SURVEY, ABSTRACT NO. 177, IN MONTGOMERY COUNTY, TEXAS AND PART OF A CALLED 18.0 ACRE TRACT, CONVEYED TO WAYNE YANCEY DESCRIBED IN VOLUME 654, PAGE 482, DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, AND BEING FULLY DESCRIBED BY METES AND BOUNDS UNDER MONTGOMERY CLERK'S FILE NUMBER (M.C.C.F.) 2016024538, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF MONTGOMERY COUNTY, TEXAS.

**TRACT 5:** BEING A CALLED 0.317 ACRES OF LAND, SITUATED IN THE GAMBLE DAWSON SURVEY, ABSTRACT NO. 177, IN MONTGOMERY COUNTY, TEXAS AND PART OF A CALLED 18.0 ACRE TRACT, CONVEYED TO WAYNE YANCEY DESCRIBED IN VOLUME 654, PAGE 482, DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, AND BEING FULLY DESCRIBED BY METES AND BOUNDS UNDER MONTGOMERY CLERK'S FILE NUMBER (M.C.C.F.) 2016024538, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF MONTGOMERY COUNTY, TEXAS.

THIS EXHIBIT IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND THAT NO BOUNDARY HAS BEEN CREATED, EXPRESS OR IMPLIED, AND TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.

F.I.R.M. NO.	48339 C	PANEL	0475 G
EFFECTIVE DATE	08-18-14	ZONE	"X"
FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE F.I.R.M.'S ACCURACY.			
PROPOSED BORROWER:	N/A		
PROPOSED INSURED:	N/A		
OWNER OF RECORD:	CARRILLO BROTHERS CORPORATION (M.C.C.F. NO. 2016024538)		
ADDRESS:	0 FM 1488, MAGNOLIA, TEXAS 77354		
FIELDWORK:	JR - 10/15/19		
TITLE COMPANY:	N/A		
GF. NO.:	N/A		
G.F. EFFECTIVE DATE:	N/A		
JOB NO.:	20-10053		

- NOTES:**
- BEARINGS BASED ON RECORDED MAP.
  - THIS TOPOGRAPHIC EXHIBIT WAS COMPLETED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. SUBJECT TO APPLICABLE RESTRICTIVE COVENANTS IF ANY.
  - EASEMENT AND BUILDING LINES PER RECORDED PLAT.
  - SURVEYOR HAS NOT ABSTRACTED SUBJECT PROPERTY. THERE MAY BE EASEMENTS, BUILDING LINES AND OTHER MATTERS OF RECORD NOT SHOWN HEREON.

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY SHOWING ANY IMPROVEMENTS, FROM LEGAL DESCRIPTIONS SUPPLIED BY CLIENT. THIS SURVEY IS ONLY CERTIFIED FOR BOUNDARY AND THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY, EASEMENTS, BUILDING LINES, ETC. SHOWN ARE AS IDENTIFIED BY THE TITLE COMMITMENT.



*RSW*

RICHARD S. WILLETT, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4615

**CIVIL LAND SURVEYS OF TEXAS**  
LAND CONSULTANTS AND SURVEY GROUP  
10422 BLACK SANDS DRIVE  
HOUSTON, TEXAS 77095  
(OFFICE) (281) 855-8495  
FIRM NO. 10194362

**EXHIBIT B**

**City of Magnolia Zoning Map**



**Current Zones:** Auto-Urban Commercial (AC)  
Industrial (IN)  
Rural (RU)  
Public Use (PU)

**Proposed Zone:** Auto-Urban Commercial (AC)

# Magnolia

ON THE MOVE

## Legend

-  One-Mile Planning Area
-  City Limits
-  Existing Roads
-  Proposed Roads
-  Railroad
-  Floodway

## Future Land Use and Character

The Future Land Use and Character Plan does not constitute zoning regulations or establish district boundaries.

-  Rural
-  Neighborhood Conservation
-  Rural Estate
-  Suburban Residential
-  Semi-Urban Residential
-  Semi-Urban Residential Mixed
-  Semi-Urban Residential Manufactured Homes
-  Semi-Urban Residential Multifamily
-  Suburban Village
-  Auto-Urban Commercial
-  Magnolia Town Center
-  Unity Plaza
-  Business Park
-  Industrial
-  Parks and Open Space
-  Public and Institutional

**KENDIG KEAST**  
COLLABORATIVE

Map Disclaimer: This graphic representation highlights generalized areas for long range planning purposes only. Sites are not guaranteed for financing and may be subject to revision at any time without notification. Individual property owners should contact the City of Magnolia with specific site questions.

0 0.2 0.4 0.8 Miles

ADOPTED APRIL 9, 2013

## Hearst Newspapers, LLC Order Confirmation

<b><u>Ad Order Number</u></b>	<b><u>Customer</u></b>	<b><u>Payor Customer</u></b>	<b><u>PO Number</u></b>
0034237252	CITY OF MAGNOLIA	CITY OF MAGNOLIA	
<b><u>Sales Rep.</u></b>	<b><u>Customer Account</u></b>	<b><u>Payor Account</u></b>	<b><u>Ordered By</u></b>
0630-HOU	20017370	20017370	Christian Gable
<b><u>Order Taker</u></b>	<b><u>Customer Address</u></b>	<b><u>Payor Address</u></b>	<b><u>Customer Fax</u></b>
jvega	18111 BUDDY RILEY BLVD MAGNOLIA TX 773545864 USA	18111 BUDDY RILEY BLVD MAGNOLIA TX 773545864 USA	
<b><u>Order Source</u></b>	<b><u>Customer Phone</u></b>	<b><u>Payor Phone</u></b>	<b><u>Customer EMail</u></b>
Rep	2813562266	2813562266	
			<b><u>Special Pricing</u></b>

<b><u>Tear Sheets</u></b>	<b><u>Proofs</u></b>	<b><u>Affidavits</u></b>	<b><u>Blind Box</u></b>	<b><u>Promo Type</u></b>	<b><u>Materials</u></b>
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<b><u>Invoice Text</u></b>	<b><u>Ad Order Notes</u></b>
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Property ID R201670, R201671, R201672, R481609 and R40491

<b><u>Gross Amount</u></b>	<b><u>Net Amount</u></b>	<b><u>Tax Amount</u></b>	<b><u>Total Amount</u></b>	<b><u>Payment Method</u></b>	<b><u>Payment Amount</u></b>	<b><u>Amount Due</u></b>
79.61	\$79.61	\$0.00	\$79.61	Credit Card Pymt	\$0.00	\$79.61

<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0034237252-01	Legal	AdBooker	

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

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
2 X 11 li	

**NOTICE OF PUBLIC HEARING**  
 On November 8, 2022 at 7:00 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 a combination of 4.926 acres of land being Property ID R201670, R201671, R201672, R481609 and R40491 situated in the Gamble Dawson Survey, Abstract No. 177, of Montgomery County, Texas, from Industrial, Public Use and Rural to Auto-Urban Commercial

<b><u>Product</u></b>	<b><u>Placement</u></b>	<b><u>Position</u></b>	<b><u>First Run Date</u></b>	<b><u>Last Run Date</u></b>
HCN Cypress Creek Champions	Legals	Legal Notices	Wednesday, November 2, 2022	Wednesday, November 2, 2022
HCN Cypress Creek Cypress	Legals	Legal Notices	Wednesday, November 2, 2022	Wednesday, November 2, 2022
HCN Tomball Potpourri	Legals	Legal Notices	Wednesday, November 2, 2022	Wednesday, November 2, 2022
HOU Online	Legals	Legal Notices	Wednesday, November 2, 2022	Thursday, December 1, 2022



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

October 12, 2022

Jerry & Eula Hendricks  
PO Box 1475  
Navasota, TX 77868-1475

### **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 4.926 acres of land situated in the Gamble Dawson Survey, Abstract Number 177, containing Property ID R201670, R201671, R201672, R481609, and R4049.

The City of Magnolia Planning and Zoning Commission held a public hearing on September 15, 2022 at 4:30 p.m. in City Hall at 18111 Buddy Riley Blvd., Magnolia, Texas 77354. The City had the agenda with the rezoning posted 72 hours before the meeting online at:

<https://www.cityofmagnolia.com>.

The Commission reviewed the rezoning of the property described in the attached Exhibit A and Exhibit B. They made a recommendation to City Council.

The City of Magnolia City Council will hold a final public hearing on the rezoning on Tuesday, November 8, 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 and Exhibit B from Industrial (IN), Public Use (PU), and Rural (RU) to Auto-Urban Commercial (AC) and the public hearing for the property listed on the attached Exhibit A and Exhibit B.



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

October 12, 2022

David Nunez  
1205 Goodson Rd  
Magnolia, TX 77355-5219

### **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 4.926 acres of land situated in the Gamble Dawson Survey, Abstract Number 177, containing Property ID R201670, R201671, R201672, R481609, and R4049.

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

October 12, 2022

Luis & Michelle Silva  
PO Box 1436  
Roma, TX 78584-1436

### **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 4.926 acres of land situated in the Gamble Dawson Survey, Abstract Number 177, containing Property ID R201670, R201671, R201672, R481609, and R4049.

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

October 12, 2022

Norris G Schexnider Sr Memorial Home Assoc.  
843 Levi Bend  
Magnolia, TX 77354-2581

### **REZONING NOTIFICATION**

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

October 12, 2022

Mario & Laura Rodriguez  
19206 FM 1488  
Magnolia, TX 77355-1657

### **REZONING NOTIFICATION**

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

October 12, 2022

David & Jennifer Swearengin  
12818 Bonnywood Ln  
Cypress, TX 77429-2202

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

October 12, 2022

Jeffrey & Deborah Nichols  
31902 Old Hempstead Rd  
Magnolia, TX 77355-1686

### **REZONING NOTIFICATION**

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

October 12, 2022

Cobalt 201 Realty LLC  
13707 Teal Shore Ct  
Houston, TX 77077-3422

### **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 4.926 acres of land situated in the Gamble Dawson Survey, Abstract Number 177, containing Property ID R201670, R201671, R201672, R481609, and R4049.

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You are hereby notified of the rezoning application for the property on Exhibit A and Exhibit B from Industrial (IN), Public Use (PU), and Rural (RU) to Auto-Urban Commercial (AC) and the public hearing for the property listed on the attached Exhibit A and Exhibit B.



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

October 12, 2022

Vernon & Valerie Sullins  
19207 FM 1488 Rd  
Magnolia, TX 77355-1658

### **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 4.926 acres of land situated in the Gamble Dawson Survey, Abstract Number 177, containing Property ID R201670, R201671, R201672, R481609, and R4049.

The City of Magnolia Planning and Zoning Commission held a public hearing on September 15, 2022 at 4:30 p.m. in City Hall at 18111 Buddy Riley Blvd., Magnolia, Texas 77354. The City will also have the agenda with the rezoning posted 72 hours before the meeting online at: <https://www.cityofmagnolia.com>.

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October 12, 2022

Fry Business Inc.  
9461 W. Bellfort St. #B  
Houston, TX 77031-2308

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

October 12, 2022

Michael & Lacey Park  
34126 High Point Dr.  
Magnolia, TX 77355-1773

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

October 12, 2022

Barbara Schoppa  
PO Box 668  
Magnolia, TX 77353-0668

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Magnolia, Texas 77354  
(281) 356-2266

October 12, 2022

Paul Kirkpatrick  
PO Box 668  
Magnolia, TX 77353-0668

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

October 12, 2022

Marc Rancourt  
115 Yancey Drive  
Magnolia, TX 77355

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City of Magnolia  
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Magnolia, Texas 77354  
(281) 356-2266

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Claude & Debbie Burk  
PO Box 411  
Magnolia, TX 77353-0411

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**City Council Agenda Item  
Administration Department**

**From:** City Planning – Christian Gable, Coordinator

**Date requested for City Council consideration:** November 8, 2022

**Subject:** Magnolia Ridge Forest, Section 17, Final Plat, +/- 50.434 Acres

**Proceeding:**

Degree of importance:  Critical                       Significant                       Elective

**FINANCIAL APPROVAL**

Expenditure Required: <u>N/A</u>	Amount Budgeted: <u>\$0.00</u>
Appropriation Required: <u>\$0.00</u>	Source of Funds: <u>N/A</u>

**SUMMARY/ORIGINATING CAUSE**

Comments were returned to City Engineer for review on 8/8. Continued conversation between applicant and City Engineer occurred before Letter of No Objection was issued on 10/14.

**IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

Increased tax revenues.

**RECOMMENDATIONS**

Approve Magnolia Ridge Forest, Section 17, Final Plat, +/- 50.434 Acres.

**ATTACHMENTS**

Final Plat



October 14, 2022

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

**Reference: Magnolia Ridge Forest Section 17 –Final Plat Review  
City of Magnolia  
AEI Job No. 221008.80-001**

Dear Mr. Doering:

We received the revised final plat and supporting documents for the proposed Magnolia Ridge Forest Section 17 development on October 10, 2022. On behalf of the 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. If any portion of this development may change at a future date, the City reserves the right to review and approve the proposed changes before initiating the change.
2. Final plat shall be signed and sealed by a Professional Surveyor licensed in Texas.
3. Obtain all applicable utility and governmental agency signatures.
4. Provide the City Engineer with an electronic copy of the final recorded plat.

Please make all the revisions as requested and submit a revised set of plans to this office for final approval. If 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 'Cristin Emshoff'.

Cristin Emshoff, MUP, ENV SP  
Urban Planner

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  
Mr. Robel E. Giackero, P.E. – AEI Engineering, A Baxter and Woodman Company  
Mr. Alexis Santibanes – LJA Engineering, Inc.



### Final Plat Application Form

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

#### CONTACT INFORMATION

**Applicant**

**Alexis Santibanes**

Name

3600 W Sam Houston Pkwy S

Street Address

Houston, Tx 77042

City, State Zip

713-580-4179

Phone

713-580-4179

Fax

asantibanes@lja.com

E-mail

**Architect (if different)**

Name

Street Address

City, State Zip

Phone

Fax

E-mail

**Property Owner (if different)**

M/I Homes of Houston, LLC & Lennar Homes of Texas Land and Construction

Name

10720 W. Sam Houston Parkway North, Suite 100 & 681 Greens Parkway, Suite 220

Street Address

Houston, Tx 77064

City, State Zip (832) 678-2500

& (281) 875-1000

Phone

Fax

BBoozer@MIHomes.com

E-mail

**Engineer/Land Surveyor (if different)**

Ciro Ariza

Name

1904 Grand Parkway N.

Street Address

Katy, Tx 77449

City, State Zip

713-953-5293

Phone

Fax

Cariza@lja.com

E-mail

Project Name: Magnolia Ridge Forest Section 17 Subdivision: \_\_\_\_\_ Reviewer: \_\_\_\_\_

**PROPERTY PROFILE**

---

Legal Description A subdivision of 50.434 acres of land situated in The Edward Taylor Survey, Abstract 554, City of Magnolia, Montgomery County, Texas  
(Subdivision) (Lot) (Block)

Current Zoning Semi-Urban Residential

Present Use of Property  
Rural

---

Proposed Use of the Property  
Single Family Residential

---

Total Area of Site 50.434

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:

A subdivision of 50.434 acres of land situated in The Edward Taylor Survey, Abstract 554, City of Magnolia, Montgomery County, Texas

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

BEING A REPLAT OF RESERVE "C", MAGNOLIA RIDGE FOREST SECTION 7, A SUBDIVISION RECORDED IN CABINET Z, SHEETS 7557-7561, MAP RECORDS OF MONTGOMERY COUNTY, TEXAS, A REPLAT OF RESERVES "D" AND "F", MAGNOLIA RIDGE FOREST SECTION 12, A SUBDIVISION RECORDED IN CABINET Z, SHEET 7549-7552 MAP RECORDS OF MONTGOMERY COUNTY, TEXAS AND A REPLAT OF RESERVES "A" AND "C", MAGNOLIA RIDGE FOREST SECTION 14, A SUBDIVISION RECORDED IN CABINET Z, SHEETS 8113-8116, MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

### 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

Magnolia Ridge

Project Name: Forest Section 17 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, Alexis Santibanes (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.

*Alexis Santibanes*  
Signature of Applicant

4/25/2022  
Date

Magnolia Ridge  
Project Name: Forest Section 17 Subdivision: \_\_\_\_\_ Reviewer: \_\_\_\_\_

**Single Family Residential Yield**

45' x 125'	890 Lots	±255.8 Ac.	71.2%
50' x 125'	311 Lots	±96.7 Ac.	24.8%
60' x 125'	49 Lots	±17.3 Ac.	4.0%

**TOTAL 1,250 Lots ±369.8 Ac. 100.0%**



Prepared For:

**M/IHOMES**

Reference Date: 02.17.2022



**PLANNING & LANDSCAPE ARCHITECTURE**

3600 W. Sam Houston Pkwy S, Suite 600  
Houston, Texas 77042  
713.953.5200

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This exhibit is an illustrative representation for presentation purposes only and should not be used for computation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, flood plains, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, concerning the actual design, accuracy, location, and character of the facilities shown on this exhibit are intended.

North

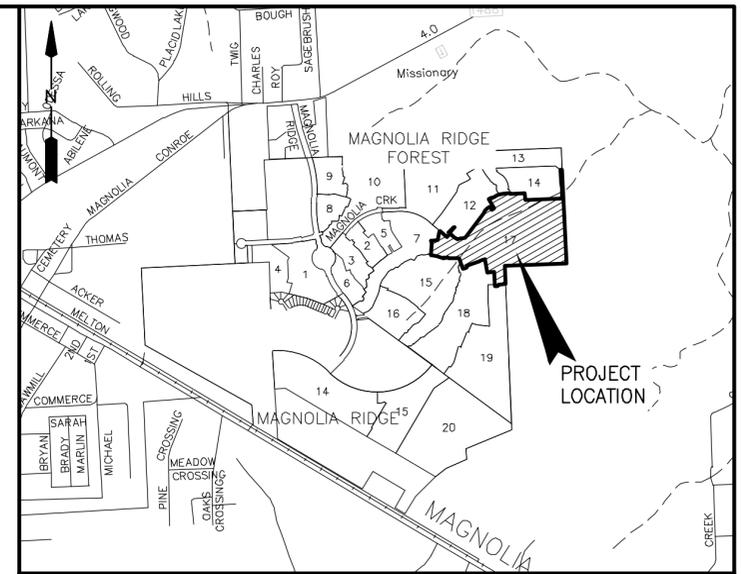
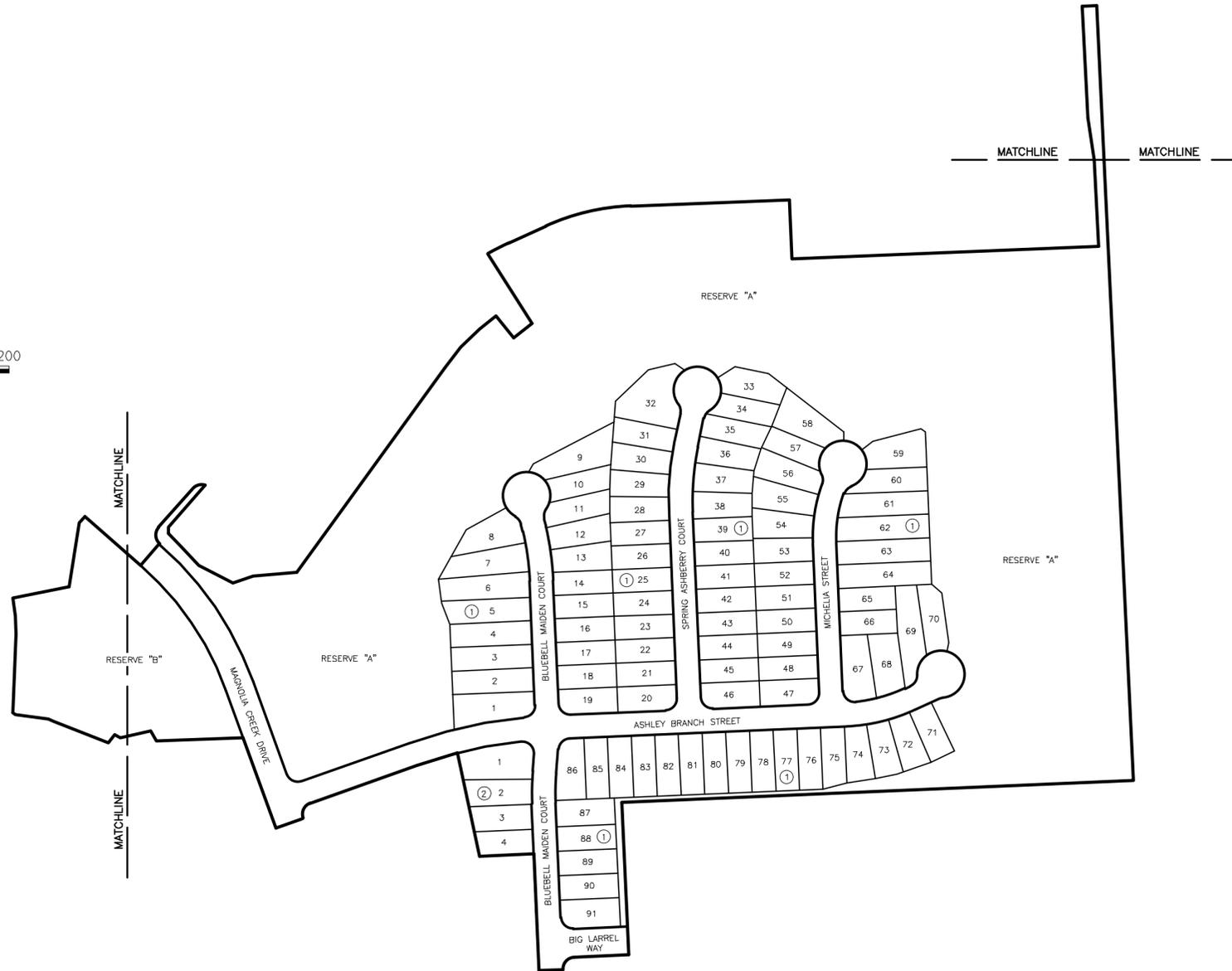
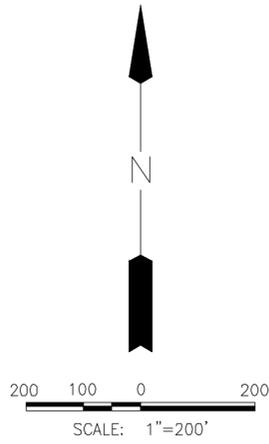


A Concept Plan for  
**MAGNOLIA RIDGE FOREST**

±369.8 Acres of Land

Magnolia, Texas

Project #: 2025-07001



VICINITY MAP  
SCALE: 1" = 2,000'  
KEY MAP NO. 212L

## FINAL PLAT OF MAGNOLIA RIDGE FOREST SECTION 17

A SUBDIVISION OF 50.434 ACRES OF LAND SITUATED IN THE EDWARD TAYLOR SURVEY, ABSTRACT 554, CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS, BEING A REPLAT OF RESERVE "C", MAGNOLIA RIDGE FOREST SECTION 7, A SUBDIVISION RECORDED IN CABINET Z, SHEETS 7557-7561, MAP RECORDS OF MONTGOMERY COUNTY, TEXAS, A REPLAT OF RESERVES "D" AND "F", MAGNOLIA RIDGE FOREST SECTION 12, A SUBDIVISION RECORDED IN CABINET Z, SHEET 7549-7552 MAP RECORDS OF MONTGOMERY COUNTY, TEXAS AND A REPLAT OF RESERVES "A" AND "C", MAGNOLIA RIDGE FOREST SECTION 14, A SUBDIVISION RECORDED IN CABINET Z, SHEETS 8113-8116, MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

OWNERS: M/I HOMES OF HOUSTON, LLC  
A DELAWARE LIMITED LIABILITY COMPANY  
10720 W. SAM HOUSTON PARKWAY NORTH, SUITE 100  
HOUSTON, TEXAS 77064  
(832) 678-2500

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.  
A TEXAS LIMITED PARTNERSHIP  
D/B/A FRIENDSWOOD DEVELOPMENT COMPANY  
681 GREENS PARKWAY, SUITE 220  
HOUSTON, TEXAS 77067  
(281) 875-1000

DATE: APRIL 25, 2022

95 LOTS  
2 BLOCKS  
2 RESERVES  
28.985 ACRES IN RESERVES

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

CAD: ALEXS.S. SUR: MYLAR CHECK: SUR: DIR:

I, KEITH W. MONROE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL 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 THREE FEET (3'); AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

KEITH W. MONROE, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4797

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I, BRANNON BOOZER, VICE PRESIDENT OF LAND, RESPECTIVELY OF M/I HOMES OF HOUSTON, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND I, MICHAEL W. JOHNSON, VICE PRESIDENT RESPECTIVELY OF U.S. HOME CORPORATION, A DELAWARE CORPORATION, GENERAL PARTNER OF LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP, D/B/A FRIENDSWOOD DEVELOPMENT COMPANY, OWNERS OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MAGNOLIA RIDGE FOREST SECTION 17, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID M/I HOMES OF HOUSTON, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP, D/B/A FRIENDWOOD DEVELOPMENT COMPANY, ACCORDING TO THE LINES, STREETS, LOTS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREIN SHOWN, AND DESIGNATE SAID SUBDIVISION AS MAGNOLIA RIDGE FOREST SECTION 17, LOCATED IN THE EDWARD TAYLOR SURVEY, ABSTRACT 554, MONTGOMERY COUNTY, TEXAS, AND ON BEHALF OF SAID M/I HOMES OF HOUSTON, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP, D/B/A FRIENDSWOOD DEVELOPMENT COMPANY; 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.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

WE HAVE ALSO COMPLIED WITH ALL REGULATIONS HERETO BEFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, LOCATED IN MONTGOMERY COUNTY, TEXAS.

FURTHER, OWNERS DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION OF MAGNOLIA RIDGE FOREST SECTION 17 WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FOREGOING 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 M/I HOMES OF HOUSTON, LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY BRANNON BOOZER, ITS VICE PRESIDENT OF LAND, THEREUNTO AUTHORIZED, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

M/I HOMES OF HOUSTON, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY

By: \_\_\_\_\_  
BRANNON BOOZER, VICE PRESIDENT OF LAND

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRANNON BOOZER, VICE PRESIDENT OF LAND, OF M/I HOMES OF HOUSTON, LLC, A DELAWARE LIMITED LIABILITY COMPANY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN 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

IN TESTIMONY WHEREOF, THE LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP, D/B/A FRIENDSWOOD DEVELOPMENT COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY U.S. HOME CORPORATION, A DELAWARE CORPORATION, ITS GENERAL PARTNER, THEREUNTO AUTHORIZED, BY ITS VICE PRESIDENT, MICHAEL W. JOHNSON, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.,  
A TEXAS LIMITED PARTNERSHIP  
D/B/A FRIENDSWOOD DEVELOPMENT COMPANY

By: U.S. HOME CORPORATION  
A DELAWARE CORPORATION,  
ITS GENERAL PARTNER

By: \_\_\_\_\_  
MICHAEL W. JOHNSON, VICE PRESIDENT

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MICHAEL W. JOHNSON, VICE PRESIDENT OF U.S. HOME CORPORATION, A DELAWARE CORPORATION, GENERAL PARTNER, OF LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP, D/B/A FRIENDSWOOD DEVELOPMENT COMPANY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID PARTNERSHIP.

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

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MAGNOLIA RIDGE FOREST SECTION 17 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.

\_\_\_\_\_  
ROBERT FRANKLIN, CHAIRMAN

\_\_\_\_\_  
KANDICE GARRETT, CITY SECRETARY

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MAGNOLIA RIDGE FOREST SECTION 17 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

\_\_\_\_\_  
KANDICE GARRETT, 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 \_\_\_\_\_, 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

NOTES:

- ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 (EPOCH 2010.00)
- THE COORDINATES SHOWN HEREON ARE TEXAS CENTRAL ZONE NO. 4203 TEXAS COORDINATE SYSTEM, NAD83 (2001 ADJ.) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE 0.99997177219.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY CHARTER TITLE COMPANY, ORDER NO. 2022-0097, DATED JULY 30, 2021. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- FIVE-EIGHTHS (5/8) INCH IRON RODS WITH PLASTIC CAP STAMPED "LJA SURVEY" AND THREE (3) FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NO. 48339C0480C, REVISED AUGUST 18, 2014, THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED). ZONE "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODPLAIN. "LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS."
- THE PIPELINES AND/OR PIPELINE EASEMENTS WITHIN THE BOUNDARIES OF THIS PLAT ARE AS SHOWN.
- BLANKET EASEMENT GRANTED TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY TEXAS GAS OPERATIONS, SOUTHWESTERN BELL TELEPHONE COMPANY, D/B/A AT&T TEXAS AND COMCAST OF HOUSTON LLC, AS RECORDED UNDER CLERK'S FILE NO. 2010019737 OF THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS, AFFECTED BY A PARTIAL RELEASE AS RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE NO. 2020005785.
- BLANKET EASEMENT GRANTED TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY TEXAS GAS OPERATIONS, SOUTHWESTERN BELL TELEPHONE COMPANY, D/B/A AT&T TEXAS AND COMCAST OF HOUSTON LLC, AS RECORDED UNDER CLERK'S FILE NO. 2021122282.
- AGREEMENT FOR UNDERGROUND ELECTRIC SERVICES BY AND BETWEEN CENTERPOINT ENERGY HOUSTON, LLC AND M/I HOMES OF HOUSTON, LLC AND LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD, AS RECORDED UNDER MONTGOMERY COUNTY CLERK'S FILE NO. 2021142192.

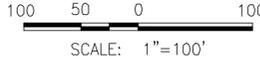
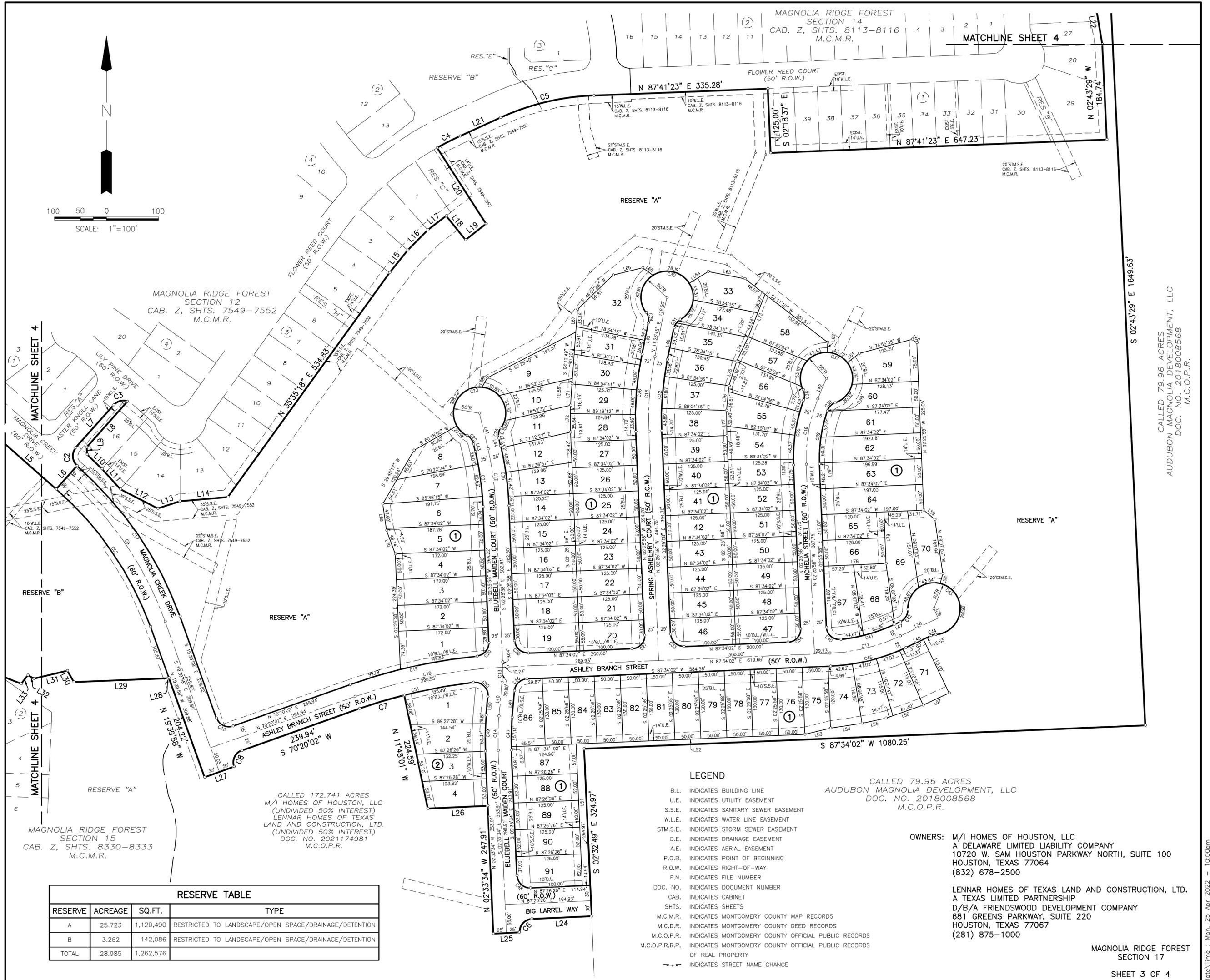
OWNERS: M/I HOMES OF HOUSTON, LLC  
A DELAWARE LIMITED LIABILITY COMPANY  
10720 W. SAM HOUSTON PARKWAY NORTH, SUITE 100  
HOUSTON, TEXAS 77064  
(832) 678-2500

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.  
A TEXAS LIMITED PARTNERSHIP  
D/B/A FRIENDSWOOD DEVELOPMENT COMPANY  
681 GREENS PARKWAY, SUITE 220  
HOUSTON, TEXAS 77067  
(281) 875-1000

MAGNOLIA RIDGE FOREST  
SECTION 17

SHEET 2 OF 4

CAD: ALEXS.S. MYLAR CHECK: SUR. DIR. Date Time: Mon, 25 Apr 2022 10:00am Path Name: C:\Users\ASAW1\Temp\AcPublish\Local\Temp\AcPublish\_12696\Magnolia Ridge Forest 17.dwg



MAGNOLIA RIDGE FOREST  
SECTION 12  
CAB. Z, SHTS. 7549-7552  
M.C.M.R.

MAGNOLIA RIDGE FOREST  
SECTION 14  
CAB. Z, SHTS. 8113-8116  
M.C.M.R.

MATCHLINE SHEET 4

MATCHLINE SHEET 4

MATCHLINE SHEET 4

MAGNOLIA RIDGE FOREST  
SECTION 15  
CAB. Z, SHTS. 8330-8333  
M.C.M.R.

CALLLED 172.741 ACRES  
M/I HOMES OF HOUSTON, LLC  
(UNDIVIDED 50% INTEREST)  
LENNAR HOMES OF TEXAS  
LAND AND CONSTRUCTION, LTD.  
(UNDIVIDED 50% INTEREST)  
DOC. NO. 2021174981  
M.C.O.P.R.

CALLLED 79.96 ACRES  
AUDUBON MAGNOLIA DEVELOPMENT, LLC  
DOC. NO. 2018008568  
M.C.O.P.R.

OWNERS: M/I HOMES OF HOUSTON, LLC  
A DELAWARE LIMITED LIABILITY COMPANY  
10720 W. SAM HOUSTON PARKWAY NORTH, SUITE 100  
HOUSTON, TEXAS 77064  
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A TEXAS LIMITED PARTNERSHIP  
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681 GREENS PARKWAY, SUITE 220  
HOUSTON, TEXAS 77067  
(281) 875-1000

RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	25.723	1,120,490	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE/DETENTION
B	3.262	142,086	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE/DETENTION
TOTAL	28.985	1,262,576	

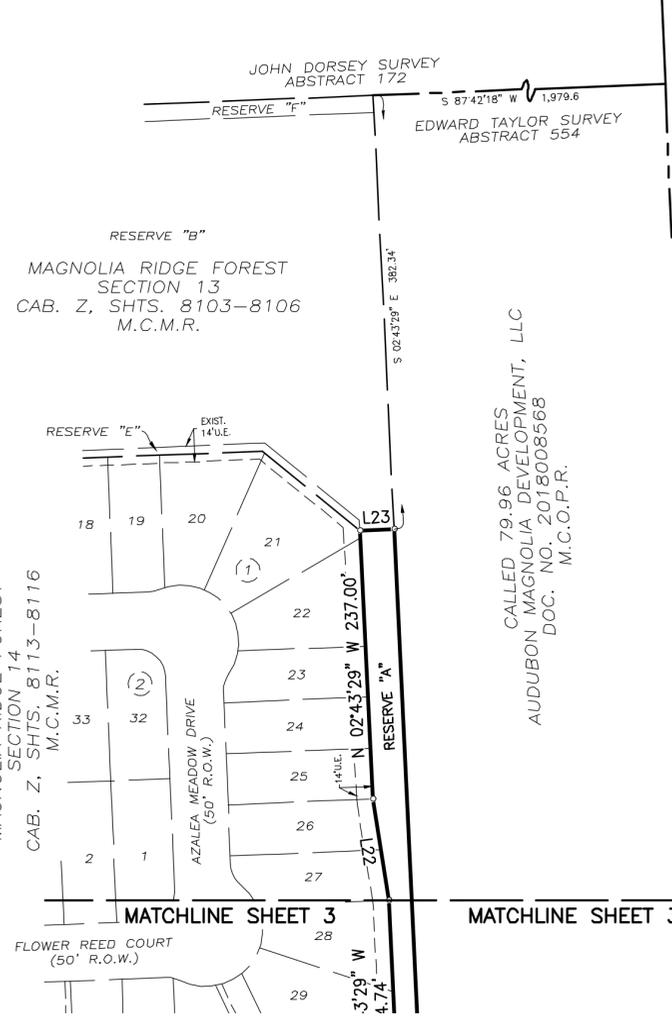
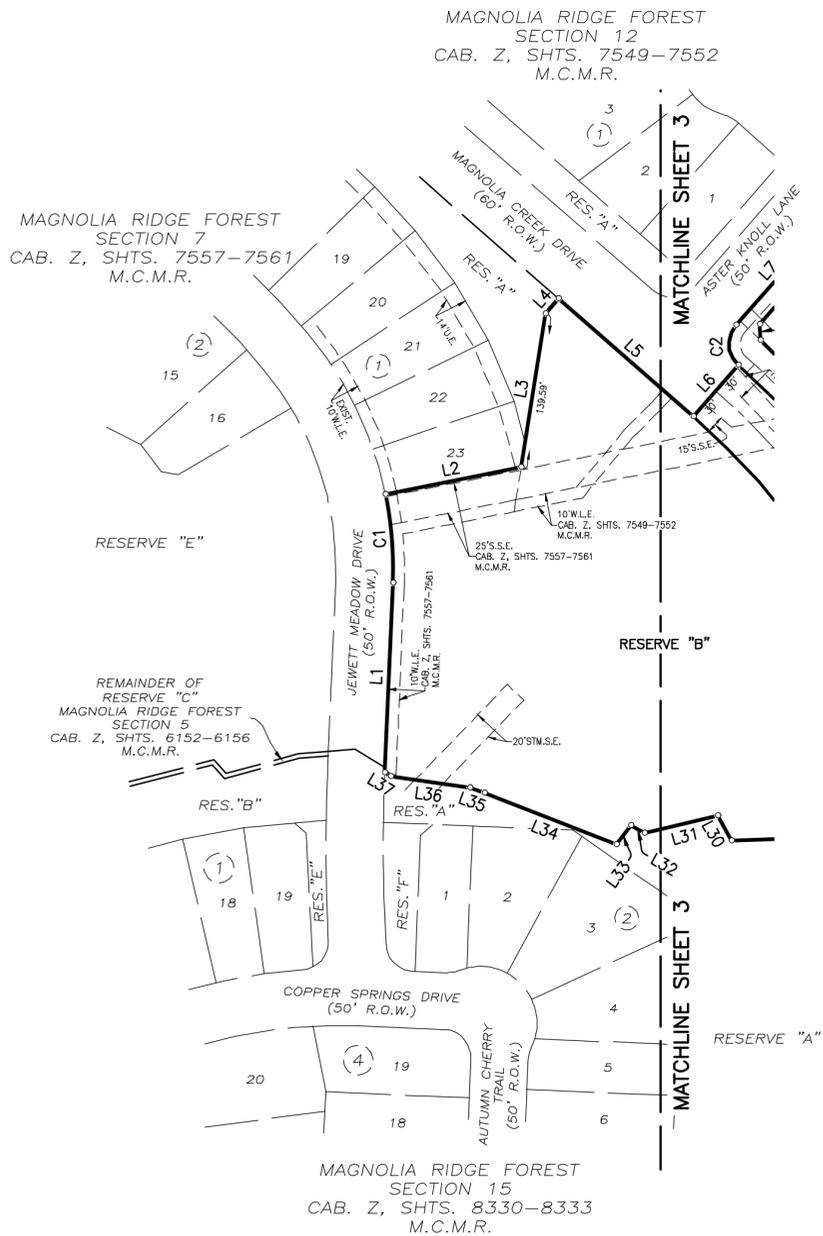
**LEGEND**

- B.L. INDICATES BUILDING LINE
- U.E. INDICATES UTILITY EASEMENT
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- W.L.E. INDICATES WATER LINE EASEMENT
- STM.S.E. INDICATES STORM SEWER EASEMENT
- D.E. INDICATES DRAINAGE EASEMENT
- A.E. INDICATES AERIAL EASEMENT
- P.O.B. INDICATES POINT OF BEGINNING
- R.O.W. INDICATES RIGHT-OF-WAY
- F.N. INDICATES FILE NUMBER
- 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
- M.C.O.P.R.P. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
- INDICATES STREET NAME CHANGE

MAGNOLIA RIDGE FOREST  
SECTION 17

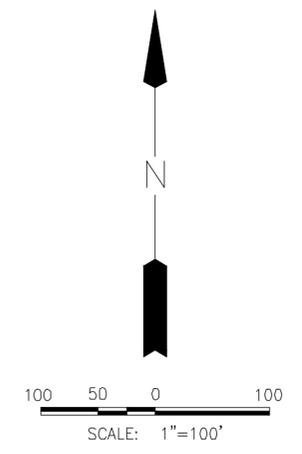
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 Date: 25 Apr 2022 10:00am  
 User: ASANT



**LEGEND**

- B.L. INDICATES BUILDING LINE
- U.E. INDICATES UTILITY EASEMENT
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- W.L.E. INDICATES WATER LINE EASEMENT
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- M.C.O.P.R. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS
- M.C.O.P.R.P. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
- INDICATES STREET NAME CHANGE



RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	25.723	1,120,490	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE/DETENTION
B	3.262	142,086	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE/DETENTION
TOTAL	28.985	1,262,576	

BLOCK 1	
LOT NO.	SQ.FT.
1	10,486
2	8,600
3	8,600
4	8,600
5	9,004
6	9,612
7	9,318
8	8,549
9	10,436
10	6,681
11	6,989
12	7,068
13	6,843
14	6,251
15	6,250
16	6,250
17	6,250
18	6,250
19	6,741
20	6,741
21	6,250
22	6,250
23	6,250
24	6,250
25	6,250
26	6,250
27	6,250
28	6,496
29	6,608
30	6,699
31	6,754
32	13,048
33	7,517
34	6,505
35	6,858

BLOCK 1	
LOT NO.	SQ.FT.
36	6,756
37	6,913
38	6,722
39	6,250
40	6,250
41	6,250
42	6,250
43	6,250
44	6,250
45	6,250
46	6,741
47	6,741
48	6,250
49	6,250
50	6,250
51	6,250
52	6,250
53	6,416
54	7,097
55	7,711
56	7,990
57	6,182
58	9,655
59	8,847
60	7,451
61	9,282
62	9,765
63	9,850
64	9,850
65	6,000
66	6,000
67	9,008
68	8,118
69	9,905
70	6,991

BLOCK 1	
LOT NO.	SQ.FT.
71	6,086
72	6,197
73	6,284
74	6,348
75	6,250
76	6,500
77	6,500
78	6,500
79	6,500
80	6,500
81	6,500
82	6,500
83	6,500
84	6,500
85	6,500
86	7,685
87	7,142
88	6,500
89	6,500
90	6,500
91	7,616

BLOCK 2	
LOT NO.	SQ.FT.
1	10,967
2	7,691
3	6,781
4	6,324

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 02°22'20" E	166.93'
L2	N 78°32'22" E	120.87'
L3	N 08°58'19" E	137.46'
L4	N 41°22'18" E	17.14'
L5	S 48°36'43" E	156.69'
L6	N 41°23'17" E	60.00'
L7	N 41°23'17" E	110.00'
L8	S 41°23'17" W	118.15'
L9	S 02°06'44" E	14.51'
L10	S 45°36'45" E	40.07'
L11	S 42°10'44" E	53.01'
L12	S 62°43'56" E	80.92'
L13	N 72°03'32" E	44.93'
L14	N 84°55'06" E	92.42'
L15	N 38°04'01" E	55.52'
L16	N 44°57'50" E	55.34'
L17	N 51°56'22" E	44.65'
L18	S 38°44'50" E	59.92'
L19	N 51°15'10" E	50.00'
L20	N 32°26'49" W	174.71'
L21	N 65°21'16" E	85.53'
L22	N 09°03'35" W	90.63'
L23	N 87°16'31" E	30.00'
L24	S 87°26'26" W	114.93'
L25	S 87°26'26" W	50.00'
L26	S 87°26'26" W	115.00'
L27	S 70°16'35" W	60.00'
L28	S 75°38'24" W	2.23'
L29	S 87°41'07" W	180.64'
L30	N 29°26'47" W	25.66'

LINE TABLE		
LINE	BEARING	DISTANCE
L31	S 76°08'15" W	65.67'
L32	N 59°23'57" W	14.00'
L33	S 37°00'22" W	21.03'
L34	N 68°31'27" W	123.99'
L35	N 69°16'41" W	13.09'
L36	N 81°47'00" W	69.85'
L37	N 58°26'44" W	6.43'
L38	N 64°38'56" E	81.06'
L39	N 25°21'04" W	20.00'
L40	S 05°06'01" W	65.59'
L41	S 13°07'28" E	71.43'
L42	N 22°17'56" E	43.12'
L43	N 13°07'28" W	15.53'
L44	S 13°07'28" E	15.53'
L45	N 11°25'45" E	62.30'
L46	S 11°25'45" W	62.30'
L47	N 64°38'56" E	12.32'
L48	S 64°38'56" W	54.14'
L49	S 05°06'01" W	51.77'
L50	N 05°06'01" E	36.23'
L51	N 02°33'34" W	275.00'
L52	N 87°34'02" E	440.55'
L53	N 76°15'26" E	50.99'
L54	N 81°07'36" E	60.81'
L55	N 78°01'28" E	47.13'
L56	N 70°16'42" E	75.87'
L57	N 64°58'17" E	55.02'
L58	N 14°13'37" E	20.00'
L59	N 50°16'30" W	27.49'
L60	N 52°21'06" W	10.89'

LINE TABLE		
LINE	BEARING	DISTANCE
L61	S 52°21'09" W	30.00'
L62	N 02°15'07" E	20.00'
L63	N 78°34'15" W	72.34'
L64	S 57°50'29" W	43.79'
L65	N 54°23'04" W	25.00'
L66	S 75°58'27" W	58.04'
L67	S 04°12'49" W	44.41'
L68	S 30°25'28" W	21.48'
L69	S 08°05'31" E	51.83'
L70	S 20°25'16" E	48.14'
L71	S 03°06'07" W	41.56'
L72	S 00°05'11" E	51.99'
L73	N 21°02'59" E	88.50'
L74	S 25°43'38" W	51.60'
L75	S 17°26'55" W	49.39'
L76	S 05°00'09" W	48.39'
L77	S 00°54'39" E	48.88'
L78	S 87°34'02" W	120.00'
L79	N 02°25'58" W	100.00'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	325.00'	13°49'59"	78.46'	N 04°32'39" W	78.27'
C2	25.00'	90°00'00"	39.27'	N 03°36'43" W	35.36'
C3	25.00'	66°25'19"	28.98'	N 74°35'56" E	27.39'
C4	575.00'	4°56'15"	49.55'	N 62°53'08" E	49.53'
C5	475.00'	22°20'07"	185.17'	N 76°31'19" E	184.00'
C6	25.00'	90°00'00"	39.27'	S 42°26'26" W	35.36'
C7	975.00'	5°16'56"	89.89'	S 72°58'31" W	89.86'
C8	25.00'	90°00'00"	39.27'	S 25°20'02" E	35.36'
C9	675.00'	28°56'45"	341.01'	S 34°08'20" E	337.40'
C10	1000.00'	17°13'59"	300.77'	N 78°57'02" E	299.64'
C11	350.00'	22°55'06"	140.00'	N 76°06'29" E	139.07'
C12	600.00'	10°41'30"	111.96'	S 07°46'43" E	111.80'
C13	300.00'	7°31'59"	39.44'	N 01°20'01" E	39.41'
C14	500.00'	7°39'35"	66.84'	S 01°16'13" W	66.79'
C15	600.00'	13°51'43"	145.16'	N 04°29'53" E	144.81'
C16	300.00'	24°43'54"	129.49'	N 09°55'59" E	128.49'
C17	705.00'	28°56'45"	356.17'	S 34°08'20" E	352.39'
C18	25.00'	90°00'00"	39.27'	S 64°39'58" E	35.36'
C19	1025.00'	13°57'12"	249.62'	N 77°18'38" E	249.00'
C20	25.00'	86°43'13"	37.84'	N 40°55'38" E	34.33'
C21	575.00'	10°41'30"	107.30'	N 07°46'43" W	107.14'
C22	25.00'	48°11'23"	21.03'	N 37°13'10" W	20.41'
C23	50.00'	27°22'46"	241.19'	N 76°52'32" E	66.67'
C24	25.00'	48°11'23"	21.03'	S 10°58'13" W	20.41'
C25	625.00'	10°41'30"	116.63'	S 07°46'43" E	116.46'
C26	25.00'	90°00'00"	39.27'	S 47°25'58" E	35.36'
C27	25.00'	90°00'00"	39.27'	N 42°34'02" E	35.36'
C28	625.00'	13°51'43"	151.21'	N 04°29'53" E	150.84'
C29	25.00'	48°11'23"	21.03'	N 12°39'57" W	20.41'
C30	50.00'	27°22'46"	241.19'	S 78°34'15" E	66.67'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C31	25.00'	48°11'23"	21.03'	S 35°31'26" W	20.41'
C32	575.00'	13°51'43"	139.11'	S 04°29'53" W	138.77'
C33	25.00'	90°00'00"	39.27'	S 47°25'58" E	35.36'
C34	25.00'	90°00'00"	39.27'	N 42°34'02" E	35.36'
C35	325.00'	22°36'14"	128.22'	N 08°52'08" E	127.39'
C36	25.00'	46°18'31"	20.21'	N 02°59'00" W	19.66'
C37	50.00'	27°18'18"	241.12'	S 67°59'07" E	66.72'
C38	25.00'	50°44'03"	22.14'	S 44°48'00" W	21.42'
C39	275.00'	21°51'57"	104.95'	S 08°30'00" W	104.31'
C40	25.00'	93°52'28"	40.96'	S 49°22'12" E	36.53'
C41	325.00'	19°02'38"	108.02'	N 74°10'15" E	107.53'
C42	25.00'	66°25'19"	28.98'	N 31°26'16" E	27.39'
C43	50.00'	26°27'41"	233.40'	S 48°02'33" E	72.26'
C44	25.00'	21°02'22"	9.18'	S 75°10'07" W	9.13'
C45	375.00'	22°55'06"	150.00'	S 76°06'29" W	149.00'
C46	25.00'	82°28'01"	35.98'	S 46°20'01" W	32.96'
C47	475.00'	7°39'35"	63.50'	S 01°16'13" W	63.45'
C48	25.00'	90°00'00"	39.27'	S 47°33'34" E	35.36'
C49	525.00'	7°39'35"	70.19'	N 01°16'13" E	70.13'
C50	25.00'	101°31'18"	44.30'	N 45°39'38" W	38.73'
C51	975.00'	13°14'41"	225.38'	S 76°57'23" W	224.88'
C52	645.00'	28°56'45"	325.86'	N 34°08'20" W	322.40'

OWNERS: M/I HOMES OF HOUSTON, LLC  
 A DELAWARE LIMITED LIABILITY COMPANY  
 10720 W. SAM HOUSTON PARKWAY NORTH, SUITE 100  
 HOUSTON, TEXAS 77064  
 (832) 678-2500

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.  
 A TEXAS LIMITED PARTNERSHIP  
 D/B/A FRIENDSWOOD DEVELOPMENT COMPANY  
 681 GREENS PARKWAY, SUITE 220  
 HOUSTON, TEXAS 77067  
 (281) 875-1000

Path: C:\Users\ASANT\1\AppData\Local\Temp\AcPublish\_Magnolia Ridge Forest\_17.dwg  
 Date: 25-Apr-2022 10:01am  
 User: ASANT

**City Council Agenda Item  
Administration Department**

**From:** City Planning – Christian Gable, Coordinator

**Date requested for City Council consideration:** November 8, 2022

**Subject:** Mustang Ridge, Section 3, Final Plat, +/- 25.522 Acres

**Proceeding:**

Degree of importance:  Critical                       Significant                       Elective

**FINANCIAL APPROVAL**

Expenditure Required: <u>N/A</u>	Amount Budgeted: <u>\$0.00</u>
Appropriation Required: <u>\$0.00</u>	Source of Funds: <u>N/A</u>

**SUMMARY/ORIGINATING CAUSE**

Comments were returned to City Engineer for review on 8/8/. Continued conversation between applicant and City Engineer occurred before Letter of No Objection was issued on 9/22.

**IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY**

Increased tax revenues.

**RECOMMENDATIONS**

Approve Mustang Ridge, Section 3, Final Plat, +/- 25.522 Acres.

**ATTACHMENTS**

Final Plat



September 22, 2022

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

**Reference: Mustang Ridge Section 3 Final Plat No Objection Letter  
City of Magnolia  
AEI Job No. 220991.80-001**

Dear Mr. Doering:

We received the final plat documentation for Mustang Ridge Section 3 on September 14, 2022. On behalf of the City of Magnolia, we have reviewed the submitted documents and have no objections to the approval of this project, subject to the following comments:

1. If any portion of this development may change at a future date, the City reserves the right to review and approve the proposed changes before 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 'Cristin Emshoff'.

Cristin Emshoff, MUP, ENV SP  
Urban Planner

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  
Mr. Robel E. Giackero, PE. – AEI Engineering, a Baxter & Woodman Company  
Mr. Zach Zarse – LJA Engineering



# Final Plat Application Form

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

## CONTACT INFORMATION

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### Applicant

### Property Owner (if different)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State Zip

\_\_\_\_\_  
City, State Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
Fax

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
E-mail

### Architect (if different)

### Engineer/Land Surveyor (if different)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State Zip

\_\_\_\_\_  
City, State Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
Fax

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
E-mail

Project Name: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Reviewer: \_\_\_\_\_

**PROPERTY PROFILE**

---

Legal Description \_\_\_\_\_  
(Subdivision) (Lot) (Block)

Current Zoning \_\_\_\_\_

Present Use of Property  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Use of the Property  
\_\_\_\_\_  
\_\_\_\_\_

Total Area of Site \_\_\_\_\_

Project Name: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Reviewer: \_\_\_\_\_

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:

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

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### 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, \_\_\_\_\_ (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.

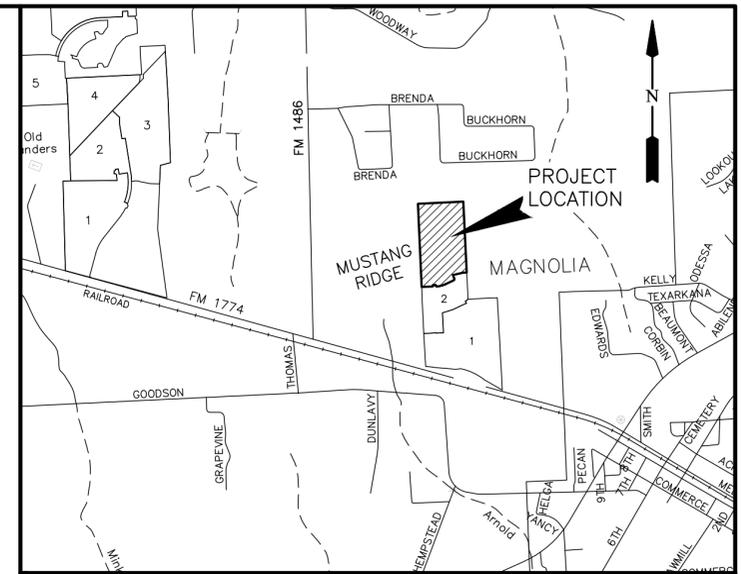
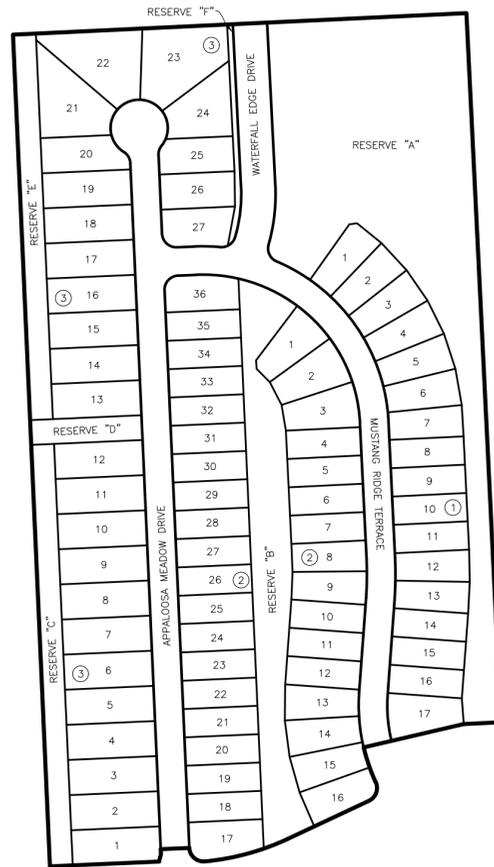
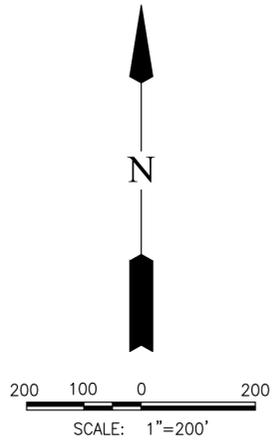


Signature of Applicant

\_\_\_\_\_

Date

Project Name: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Reviewer: \_\_\_\_\_



VICINITY MAP  
SCALE: 1"= 2000'  
KEY MAP NO. 211M

## FINAL PLAT OF MUSTANG RIDGE SECTION 3

A SUBDIVISION OF 25.522 ACRES OF LAND SITUATED IN  
THE WILLIAM T. DUNLAVY SURVEY, ABSTRACT 168,  
CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS.

OWNER: KB HOME LONE STAR INC  
A TEXAS CORPORATION  
11314 RICHMOND AVENUE  
HOUSTON, TEXAS 77042

DEVELOPER: KB HOME LONE STAR INC  
A TEXAS CORPORATION  
11314 RICHMOND AVENUE  
HOUSTON, TEXAS 77042

DATE: MAY 9, 2022

80 LOTS  
3 BLOCKS  
6 RESERVES  
7.457 ACRES IN RESERVES

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 Suite 600  
Houston, Texas 77042  
Phone 713.953.5200  
Fax 713.953.5026  
FRN - F-1386

Date: 10 May 2022 2:53pm  
Path: C:\Users\yzores\appdata\local\Temp\AcPublish\_6936\Mustang Ridge\_3.dwg  
MYLAR CHECK: COORD. DIR.

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I, MARK EUBANKS, VICE PRESIDENT OF FINANCE AND RYAN HAWKINS, SENIOR LAND DEVELOPMENT MANAGER, RESPECTIVELY OF KB HOME LONE STAR INC., A TEXAS CORPORATION, OWNER OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING MAP OF MUSTANG RIDGE SECTION 3, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID KB HOME LONE STAR INC., A TEXAS CORPORATION, ACCORDING TO THE LINES, STREETS, LOTS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREIN SHOWN, AND DESIGNATE SAID SUBDIVISION AS MUSTANG RIDGE SECTION 3, LOCATED IN THE WILLIAM T. DUNLAVY SURVEY, ABSTRACT 168, MONTGOMERY COUNTY, TEXAS, AND ON BEHALF OF SAID KB HOME LONE STAR INC., A TEXAS CORPORATION; AND DEDICATE TO THE 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.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED, HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

WE HAVE ALSO COMPLIED WITH ALL REGULATIONS HERETO BEFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, LOCATED IN MONTGOMERY COUNTY, TEXAS.

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 MUSTANG RIDGE SECTION 3 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 KB HOME LONE STAR INC., A TEXAS CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY MARK EUBANKS, ITS VICE PRESIDENT OF FINANCE, THEREUNTO AUTHORIZED, BY ITS SENIOR LAND DEVELOPMENT MANAGER, RYAN HAWKINS, THIS DAY OF \_\_\_\_\_, 2022.

KB HOME LONE STAR INC.  
A TEXAS CORPORATION

BY: \_\_\_\_\_  
MARK EUBANKS, VICE PRESIDENT OF FINANCE

ATTEST: \_\_\_\_\_  
RYAN HAWKINS, SENIOR LAND DEVELOPMENT MANAGER

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARK EUBANKS, VICE PRESIDENT OF FINANCE OF KB HOME LONE STAR INC., A TEXAS 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 PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID CORPORATION.

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 RYAN HAWKINS, SENIOR LAND DEVELOPMENT MANAGER OF KB HOME LONE STAR INC., A TEXAS 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 PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN SET OUT AND AS THE ACT AND DEED OF SAID CORPORATION.

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

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, KEITH W. MONROE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL 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.

\_\_\_\_\_  
KEITH W. MONROE, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4797

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MUSTANG RIDGE SECTION 3 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.

\_\_\_\_\_  
SCOTT SHELburne, CHAIRMAN

\_\_\_\_\_  
KANDICE GARRETT, CITY SECRETARY

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF MUSTANG RIDGE SECTION 3 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

\_\_\_\_\_  
KANDICE GARRETT, 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 \_\_\_\_\_, 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: KB HOME LONE STAR INC.  
A TEXAS CORPORATION  
11314 RICHMOND AVENUE  
HOUSTON, TEXAS 77042

DEVELOPER: KB HOME LONE STAR INC.  
A TEXAS CORPORATION  
11314 RICHMOND AVENUE  
HOUSTON, TEXAS 77042

DIR: \_\_\_\_\_  
MYLAR CHECK: COORD. \_\_\_\_\_  
Date\Time : Tue, 10 May 2022 2:53pm  
Path\Name : C:\Users\lzarsas\AppData\Local\Temp\AcPublish\_6936\Mustang Ridge\_3.dwg

**LEGEND**

- B.L. INDICATES BUILDING LINE
- STM.S.E. INDICATES STORM SEWER EASEMENT
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- W.L.E. INDICATES WATER LINE EASEMENT
- U.E. INDICATES UTILITY EASEMENT
- EXIST. INDICATES EXISTING
- 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
- M.C.O.P.R.R.P. INDICATES MONTGOMERY COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
- R.O.W. INDICATES RIGHT-OF-WAY
- DOC. NO. INDICATES DOCUMENT NUMBER
- F.N. INDICATES FILE NUMBER
- CAB. INDICATES CABINET
- SHT. INDICATES SHEET
- VOL. INDICATES VOLUME
- PG. INDICATES PAGE
- FND. INDICATES FOUND
- I.R. INDICATES IRON ROD
- INDICATES STREET NAME CHANGE

CALLED 5.00 ACRES  
CYNTHIA A. DUKE-HOBBS  
DOC. NO. 9516850  
M.C.O.P.R.R.P.

CALLED 5.100 ACRES  
CYNTHIA A. DUKE-HOBBS  
DOC. NO. 2015085138  
M.C.O.P.R.

CALLED 4.00 ACRES  
JOSH & ASHLEY STEPP  
DOC. NO. 2012102991  
M.C.O.P.R.

CALLED 16.032 ACRES  
RAYMON D. & GWEN SMITH  
DOC. NO. 9818328  
M.C.O.P.R.R.P.

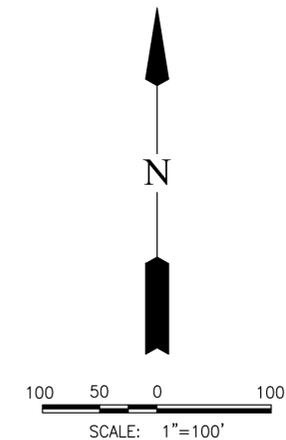
CALLED 78.760 ACRES  
MAGNOLIA INDEPENDENT  
SCHOOL DISTRICT  
F.N. 2002131656  
M.C.O.P.R.

CALLED 16.032 ACRES  
JON E MADSEN BYPASS TRUST  
DOC. NO. 2015096802  
M.C.O.P.R.

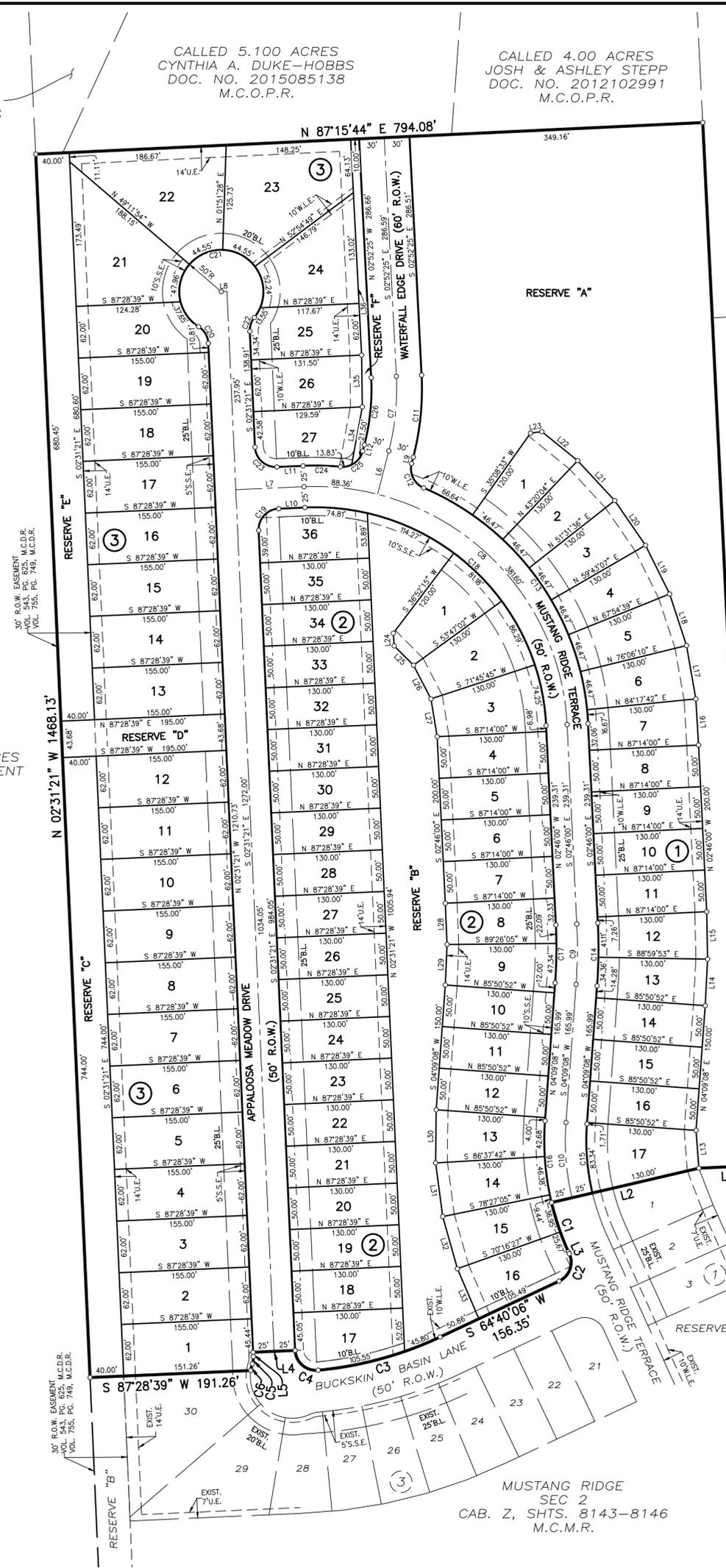
CALLED 16.068 ACRES  
ALICE G. READ  
DOC. NO. 2008004890  
M.C.O.P.R.R.P.

OWNER: KB HOME LONE STAR INC.  
A TEXAS CORPORATION  
11314 RICHMOND AVENUE  
HOUSTON, TEXAS 77042

DEVELOPER: KB HOME LONE STAR INC.  
A TEXAS CORPORATION  
11314 RICHMOND AVENUE  
HOUSTON, TEXAS 77042



RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	4.436	193,220	RESTRICTED TO LANDSCAPE/OPEN SPACE/ DETENTION/LIFT STATION
B	1.426	62,138	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE
C	0.683	29,760	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE
D	0.196	8,518	RESTRICTED TO LANDSCAPE/OPEN SPACE/EMERGENCY ACCESS
E	0.625	27,221	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE
F	0.091	3,956	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	7.457	324,813	



MUSTANG RIDGE  
SEC 2  
CAB. Z, SHTS. 8143-8146  
M.C.M.R.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 87°14'00" W	65.15'
L2	S 76°47'17" W	180.00'
L3	S 24°15'04" E	2.43'
L4	S 87°28'39" W	50.00'
L5	S 02°31'21" E	5.21'
L6	S 14°21'11" W	53.59'
L7	N 87°28'39" E	81.11'
L8	N 87°28'39" E	6.75'
L9	S 14°21'11" W	7.94'
L10	S 87°28'39" W	31.11'
L11	N 87°28'39" E	31.11'
L12	N 14°21'11" E	7.94'
L13	N 04°12'14" W	45.47'
L14	N 02°58'49" E	55.78'
L15	N 01°07'21" W	56.90'
L16	N 03°23'08" W	55.38'
L17	N 09°48'04" W	65.00'
L18	N 17°59'35" W	65.00'
L19	N 26°11'07" W	65.00'
L20	N 34°22'39" W	65.00'
L21	N 42°34'10" W	65.00'
L22	N 50°45'42" W	55.00'
L23	S 82°11'26" W	13.63'
L24	S 03°54'03" E	15.15'
L25	S 44°40'21" E	32.65'
L26	S 27°13'36" E	45.31'
L27	S 09°19'49" E	45.96'
L28	S 02°23'09" E	49.42'
L29	S 02°22'31" W	48.62'
L30	S 00°37'34" W	63.69'
L31	S 07°27'37" E	64.88'
L32	S 15°38'14" E	64.88'
L33	S 23°00'25" E	65.33'
L34	N 10°18'53" E	70.47'
L35	N 00°45'19" W	62.03'
L36	N 02°52'25" W	259.15'

CURVE TABLE						
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD	
C1	325.00'	11°02'21"	62.62'	S 18°43'54" E	62.52'	
C2	25.00'	88°55'09"	38.80'	S 20°12'31" W	35.02'	
C3	435.00'	19°56'06"	151.35'	S 74°38'09" W	150.59'	
C4	25.00'	92°52'27"	40.52'	N 48°57'35" W	36.23'	
C5	25.00'	20°14'43"	8.83'	S 07°36'00" W	8.79'	
C6	50.00'	9°24'58"	8.22'	S 13°00'52" W	8.21'	
C7	300.00'	17°13'36"	90.20'	S 05°44'23" W	89.86'	
C8	300.00'	89°45'22"	469.96'	S 47°38'40" E	423.36'	
C9	600.00'	6°55'08"	72.45'	S 00°41'34" W	72.41'	
C10	300.00'	17°21'51"	90.92'	S 04°31'48" E	90.57'	
C11	330.00'	17°13'36"	99.22'	S 05°44'23" W	98.85'	
C12	25.00'	80°57'32"	35.32'	S 26°07'35" E	32.46'	
C13	325.00'	63°50'21"	362.12'	S 34°41'10" E	343.67'	
C14	625.00'	6°55'08"	75.47'	S 00°41'34" W	75.43'	
C15	275.00'	17°21'51"	83.34'	S 04°31'48" E	83.02'	
C16	325.00'	17°21'51"	98.50'	N 04°31'48" W	98.12'	
C17	575.00'	6°55'08"	69.43'	N 00°41'34" E	69.39'	
C18	275.00'	89°45'22"	430.80'	N 47°38'40" W	388.08'	
C19	25.00'	90°00'00"	39.27'	S 42°28'39" W	35.36'	
C20	25.00'	54°47'01"	23.90'	N 29°54'52" W	23.00'	
C21	50.00'	275°36'44"	240.52'	N 80°30'00" E	67.16'	
C22	25.00'	40°49'44"	17.81'	S 17°53'31" W	17.44'	
C23	25.00'	90°00'00"	39.27'	S 47°31'21" E	35.36'	
C24	325.00'	7°50'04"	44.44'	S 88°36'19" E	44.41'	
C25	25.00'	80°57'32"	35.32'	N 54°49'57" E	32.46'	
C26	270.00'	17°13'36"	81.18'	N 05°44'23" E	80.87'	

BLOCK 1	
LOT NO.	SQ.FT.
1	7,149
2	7,199
3	7,199
4	7,199
5	7,199
6	7,199
7	6,756
8	6,500
9	6,500
10	6,500
11	6,500
12	6,824
13	6,772
14	6,500
15	6,500
16	6,500
17	8,551

BLOCK 2	
LOT NO.	SQ.FT.
1	8,054
2	8,620
3	8,332
4	6,500
5	6,500
6	6,500
7	6,500
8	6,756
9	7,037
10	6,500
11	6,500
12	6,500
13	7,130
14	7,186
15	7,186
16	7,511
17	8,262
18	6,500

BLOCK 2	
LOT NO.	SQ.FT.
19	6,500
20	6,500
21	6,500
22	6,500
23	6,500
24	6,500
25	6,500
26	6,500
27	6,500
28	6,500
29	6,500
30	6,500
31	6,500
32	6,500
33	6,500
34	6,500
35	6,500
36	7,939

BLOCK 3	
LOT NO.	SQ.FT.
1	9,584
2	9,610
3	9,610
4	9,610
5	9,610
6	9,610
7	9,610
8	9,610
9	9,610
10	9,610
11	9,610
12	9,610
13	9,610
14	9,610

BLOCK 3	
LOT NO.	SQ.FT.
15	9,610
16	9,610
17	9,610
18	9,610
19	9,610
20	8,824
21	14,456
22	16,197
23	17,087
24	10,775
25	7,995
26	8,094
27	8,185

NOTES:

- ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NAD83 GEOID 12B.
- THE COORDINATES SHOWN HEREON ARE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203) NAD83 GEOID 12B AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR 0.9999668177.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY CHARTER TITLE COMPANY, ORDER NO. 2021-\_\_\_\_\_, DATED MAY \_\_\_\_, 2021. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- FIVE-EIGHTHS (5/8) INCH IRON RODS WITH PLASTIC CAP STAMPED "LJA SURVEY" AND THREE (3) FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NO. 48339C0475G, REVISED AUGUST 18, 2014, THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED) DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODPLAIN. "LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS."
- THERE ARE NO PIPELINES OR PIPELINE EASEMENTS WITHIN THE BOUNDARIES OF THIS PLAT
- THIS TRACT LIES WHOLLY WITHIN MONTGOMERY COUNTY MUD 108.

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DEVELOPER: KB HOME LONE STAR INC.  
A TEXAS CORPORATION  
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HOUSTON, TEXAS 77042

MUSTANG RIDGE  
SECTION 3

SHEET 4 OF 4



RE: Change Order No. 2  
 DATE: October 10, 2022  
 NAME OF PROJECT: Nichols Sawmill Interceptor Sewer Replacement – Phase III Rebid  
 OWNER: City of Magnolia  
 CONTRACTOR: Ballast Point Construction Inc.  
 AEI JOB No.: 212289.60

The amount of this Change Order represents an interim determination of the amounts owed Ballast Point Construction Inc. under the Contract Documents. Following payment to Ballast Point Construction Inc. of the \$364,168.00 amounts referenced below no later than October 28, 2022, the Parties agree to meet to discuss items 2.1 to 2.16 below, as well as any other payment application amounts owed to Contractor. All rights of the Owner and Contractor are reserved.

The following changes are hereby made to the CONTRACT DOCUMENTS:

Proposed Contract Items to be added or increased:

Item No.	Bid Item No.	Qty.	Unit	Description	Unit Cost	Total Price
2.1	6	230	LF	STA 97+00 to STA 100+50 (Near Church off Buddy Riley): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$342.00	\$78,660.00
2.2	6	272	LF	STA 85+00 to STA 87+60 (RL Butler): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$342.00	\$93,024.00
2.3	6	270	LF	STA 90+50 to STA 94+20 (Businesses by Melton St): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$342.00	\$92,340.00
2.4	6	1630	LF	STA 109+10 to STA 125+90 (Buddy Riley School Zone): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$342.00	\$557,460.00
2.5	1	15	EA	Connect to Existing Sanitary Sewer, to be verified by AEI	\$1,314.00	\$19,710.00
2.6	47A	13	EA	Install Sanitary Sewer Taps including excavation and backfilling complete in place, to be verified by AEI	\$2,170.00	\$28,210.00
2.7	48A	1	LS	Apply SewperCoat lining to interior walls of Manhole 1.53 to add protection from force main sewage	\$6,500.00	\$6,500.00

Total Amount to be increased \$875,904.00



Proposed Contract Items to deduct include:

Item No.	Bid Item No.	Qty.	Unit	Description	Unit Cost	Total Price
2.8	7	(230)	LF	STA 97+00 to STA 100+50 (Near Church off Buddy Riley): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$209.00	(\$48,070.00)
2.9	7	(272)	LF	STA 85+00 to STA 87+60 (RL Butler): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$209.00	(\$56,848.00)
2.10	7	(270)	LF	STA 90+50 to STA 94+20 (Businesses by Melton St): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$209.00	(\$56,430.00)
2.11	7	(1630)	LF	STA 109+10 to STA 125+90 (Buddy Riley School Zone): 24-inch Sanitary Sewer installed by trenchless in lieu of open-cut	\$209.00	(\$340,670.00)
2.12	2	(1)	EA	Connect to Existing MH	\$1,518.00	(\$1,518.00)
2.13	24	(2)	EA	Connect to Existing Storm Sewer	\$600.00	(\$1,200.00)
2.14	40	(1)	LS	Clearing and Grubbing	\$2,000.00	(\$2,000.00)
2.15	43	(1)	LS	Install and Maintain Temporary Erosion Control	\$5,000.00	(\$5,000.00)

Total to be reduced \$(511,736.00)

2.16 Time Extension: Extend the contract completion date by TBD calendar days. No increase to contract amount.

Justification:

- 2.1 Bid Item No. 6: In reference to RFI No. 14, the sanitary sewer line segment between STA 97+00 to STA 100+50 was agreed to be installed by trenchless method in lieu of open-cut method due to CenterPoint utility interferences. An additional 230 linear feet will be added to Bid Item No. 6 for this segment.
- 2.2 Bid Item No. 6: In reference to RFI No. 8, the sanitary sewer line segment between STA 85+00 to STA 87+60 was agreed to be installed by trenchless method in lieu of open-cut method to avoid closing RL Butler between Commerce and FM 1774. An additional 272 linear feet will be added to Bid Item No. 6 for this segment.
- 2.3 Bid Item No. 6: In reference to RFI No. 8, the sanitary sewer line segment between STA 90+50 to STA 94+20 was agreed to be installed by trenchless method in lieu of open-cut method to avoid interference with business lot entrances along Buddy Riley Rd. An additional 270 linear feet will be added to Bid Item No. 6 for this segment.



- 2.4 Bid Item No. 6: In reference to RFI No. 8, the sanitary sewer line segment between STA 109+10 to STA 125+90 was agreed to be installed by trenchless method in lieu of open-cut method due to school being in session and to prevent interference with school traffic. An additional 1630 linear feet will be added to Bid Item No. 6 for this segment.
- 2.5 Bid Item No. 1: 15 additional connections are to be added to the contract upon completion and field verification by AEI for each sanitary sewer connection.
- 2.6 New Item No. 47A: 13 sanitary sewer taps including saddles are to be added to the contract upon completion and field verification by AEI for each service connection.
- 2.7 New Item No. 48A: The manhole detail and the construction plan set did not identify any coating protection from sewage exposure as the force main discharges into the manhole.
- 2.8 Bid Item No. 7: Due to trenchless installation between STA 97+00 to STA 100+50, a total of 230 linear feet utilizing open-cut method is no longer to be performed and will be deducted.
- 2.9 Bid Item No. 7: Due to trenchless installation between STA 85+00 to STA 87+60, a total of 272 linear feet utilizing open-cut method is no longer to be performed and will be deducted.
- 2.10 Bid Item No. 7: Due to trenchless installation between STA 90+50 to STA 94+20, a total of 270 linear feet utilizing open-cut method is no longer to be performed and will be deducted.
- 2.11 Bid Item No. 7: Due to trenchless installation between STA 109+10 to STA 125+90, a total of 1630 linear feet utilizing open-cut method is no longer to be performed and will be deducted.
- 2.12 Bid Item No. 2: Deduct of one connection to existing manholes. This connection is no longer necessary due to field changes on the alignment and deletion of manhole MH 1.33.
- 2.13 Bid Item No. 24: Deduct of two connections to existing storm sewer. There are no storm sewer connections in this project and are not required.
- 2.14 Bid Item No. 40: Delete this item that includes clearing and grubbing. This was not required for this project.
- 2.15 Bid Item No. 43: Delete this item that includes installing and maintaining temporary erosion control. This was not utilized in this project.
- 2.16 Time Extension: TBD.



Current CONTRACT PRICE: \$ 2,479,401.50

Current CONTRACT PRICE due to this CHANGE ORDER will be increased by:  
\$ 364,168.00

The new CONTRACT PRICE including this CHANGE ORDER will be:  
\$ 2,843,569.50

Change to CONTRACT TIME:

The CONTRACT TIME will be increased by TBD calendar days.

The date for completion of all WORK will be TBD

Recommended By:   
ENGINEER

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

Accepted By:   
CONTRACTOR

Authorized By:   
OWNER

**Detention Pond & Storm Water Pump Station  
Maintenance and Inspection Plan  
for  
HEB FM 1488 & Spur 149**

City of Magnolia  
Montgomery County

LJA Engineering, Inc.  
1904 W Grand Parkway N, Suite 100  
Katy, Texas 77449  
Telephone: 713.953.5200  
Fax: 713.953.5026

LJA Job Number 1455-1902  
LJA Firm Registration No. F-1386

**OCTOBER 2022**



## **FM 1488 & SPUR 149 DETENTION POND AND STORM WATER PUMP STATION MAINTENANCE & INSPECTION PLAN**

**HEB Grocery Store # 767  
13663 FM 1488  
Magnolia, Texas 77354**

### **1. EXECUTIVE SUMMARY**

This document is intended to layout the plan for maintenance and Inspection of the facilities serving the Site. This is a guideline to be used throughout the life of the property.

### **2. SITE DESCRIPTION**

#### **A. Site Location**

HEB FM 1488 & Spur 149 consists of 18.94 acres of land located in City of Magnolia, Montgomery County, Texas. The tract lies in the southwest corner of FM 1488 and Spur 149 Rd.

#### **B. Owner Information**

HEB Grocery Company, L.P.  
646 South Main, South Building, 1<sup>st</sup> Floor  
San Antonio, Texas 78204  
(210) 938-8892

### **3. MAINTENANCE PLAN**

The following maintenance and inspection requirements will be performed for the identified BMPs used on the property. Table A-1 in Appendix A schedules all maintenance activities on the site and will be used to insure regular and timely maintenance for structural measures.

#### **A. Detention Pond**

The proposed side-slopes of the detention pond will be constructed at varying slopes with a maximum of 4 horizontal to 1 vertical and constructed with the appropriate native soils found on-site. Grass and seeding will be placed on the side slopes for additional slope stability and the pond will have a maintenance berm of adequate width for private maintenance operations.

HEB will be responsible for maintaining their private property including the on-site detention pond. Fertilizer and herbicides will be applied only when necessary and in accordance with manufacturer's specifications within the dry detention pond. The pond will be mowed at least once every six (6) months or as needed.

Fertilizer and herbicides will be applied within the channel only as necessary and in accordance with manufacturer's specifications. HEB or its agent shall mow all planted areas twice a year or as required to maintain maximum height of six (6) inches. Mowing shall be done with approved mowing machines in such a manner that will leave a vegetation height between three (3) and four (4) inches. Grass litter resulting from mowing operations shall be raked and properly disposed of in an approved disposal facility.

B. Storm Water Pump Station

HEB will be financially responsible for the maintenance of the Storm Water Pump Station. The City of Magnolia Public Works will perform routine maintenance stipulated within the operations and maintenance manual for the pump station. The owner's manual for the Pump Station will be provided. City of Magnolia will notify HEB prior to performing maintenance should costs exceed \$ 5,000.

C. Non-Structural – Litter Control and Waste Materials

HEB will be responsible for maintaining any trash receptacles or other materials that are needed for proper management of commercial/store & fuel station waste materials. The trash will be collected and removed by a licensed waste management provider. Tasks include;

Secure lids on trash receptacles or place them under cover  
Only dispose of permitted materials in trash receptacles  
Recycling  
Compositing of clipped vegetation  
Control litter from becoming floatables

**4. INSPECTION PLAN**

HEB or its agent will designate a qualified person or persons to perform the following inspection for the identified control measures used on the property.

A. Monthly Inspection Report

The designated personal shall perform monthly inspections and file the reports on-site.

B. Non-Structural Controls

The designated person will perform visual inspections of the site every month. An inspection form will be filled out by the person(s) performing the inspection and filed on-site. The form will include the inspector's name, address and qualifications. The detention pond area will be inspected for the following:

- Proper litter control (trash receptacles have secure lids or under cover)
- Proper landscaping, fertilizer and pesticide practices

The inspector will note the date that any maintenance or repairs have been performed since the last inspection. Black inspection checklists can be found at the end of this letter.

C. Structural Controls

Visual inspection of the dry storm water quality facility will be performed by the designated person once a month and after rainfall event of 1/2 inch or more in a 24-hour period. An inspection form will be filled out by the person(s) performing the inspection and filed on-site. The form will include the following information:

- Inspectors name, address, and qualifications
- Description of inspection of the detention facility for litter, debris, vegetation maintenance and erosion
- Description of the inspection and remove debris and sedimentation from constriction orifices and trash screen in the dry detention basin
- Inspect all structures for failure and maintenance of repair of same

- Note the date, any maintenance or repairs that have been performed since the last inspection, any standing water in the basin, the amount of rain produced in the last rainfall event, and the time since that event

D. Annual Inspection Report

Annual inspections of the dry detention basin and Pump Station will be performed by the Engineer of Record. An inspection report will be written and filed on-site. The report will be written to assess the effectiveness of all current control measures, non- structural and structural and address any changes that need to be made. The report will include the following information:

- Engineer's name, address, and qualifications
- Status of proper litter control (trash receptacles have secure lids or under cover)
- Status of proper landscaping, fertilizer, and pesticide practices
- Description of inspection the basin for litter, debris, vegetation needs, integrity of any structural components, erosion problems, and sediment accumulation and maintenance or repair of same
- Assess the effectiveness of the current BMPs, non-structural and structural, to control floatables, suspended solids, and other pollutants
- Note the date, any maintenance or repairs that have been performed since the last inspection, any standing water in the basin, the amount of rain produced in the last rainfall event, and the time since that event
- Inspect concrete slope pavement for excessive cracking and vegetation with joints or cracks
- Inspect the facility bottom and non-paved areas which drain into the facility for adequate vegetative coverage

In order to protect the proposed outfall from becoming clogged with debris, the Owner will be required to inspect this regularly and remove any debris from the trash screen and wire mesh.

## **5. STORM WATER QUALITY DRY POND DESIGN CALCULATIONS**

Detention facilities are required in accordance with the City of Magnolia design standards. Dry detention will be provided in order to make the best use of the land and to minimize construction costs. The facilities are detailed in the construction plans. No storm water quality volume calculations are requested for this dry detention pond.

## **6. CERTIFICATE OF COMPLIANCE**

In accordance with the Regulations, the Engineer of record shall complete an As-Built Certification form (supplied by the City Engineer) stating that all Features (structural controls) in the maintenance Plan are in accordance with the approved plans upon the completion and subsequent inspection of the facilities. The Permittee (Owner) shall submit this form to the City Engineer for approval.

Signature Page

**In Witness whereof**, the parties have caused this maintenance & Inspection Agreement to be executed by their authorized representatives as of this 3rd day of October 2022.

Signed for and on behalf of  
HEB Grocery Company, L.P.

DocuSigned by:  
  
3066F0DA5D814E5

Name: Benjamin Scott  
Title: Vice President of Real Estate  
Date: October 3, 2022

Signed for and on behalf of  
City of Magnolia

\_\_\_\_\_  
Name:  
Title:  
Date

**APPENDIX A**

**FORMS**

**Table A-1: Maintenance and Inspection Schedule for FM 1488 & SPUR 149 DETENTION POND AND STORM WATER PUMP STATION**

Maintenance Activity	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Structural Controls</b>												
Sediment Removal	X						X					
Replacement of the Storm Boom	X						X					
<b>Non Structural Controls</b>												
Litter Pick Up	X	X	X	X	X	X	X	X	X	X	X	X
<b>Inspections (All Controls)</b>												
Monthly	X	X	X	X	X	X	X	X	X	X	X	X
Annual												X

\* The skimmer basket should be checked for operations after moderate rainfall of 0.5" or at least once a month.

**INSPECTION REPORT FOR  
 FM 1488 & SPUR 149 DETENTION POND AND STORM WATER PUMP STATION  
 MAINTENANCE & INSPECTION PLAN  
 HEB Grocery Store # 767  
 13663 FM 1488  
 Magnolia, Texas 77354**

DATE: \_\_\_\_\_ INSPECTOR: \_\_\_\_\_

INSPECTOR QUALIFICATIONS: \_\_\_\_\_

SITE CONDITIONS:

<b>POLLUTANT CONTROL</b>	<b>IN CONFORMANCE</b>	<b>EFFECTIVE</b>
Skimmer Baskets	YES/NO (See Below)	YES/NO (See Below)
Storm Boom	YES/NO (See Below)	YES/NO (See Below)
Trash Rack/Floatables Collection Screen	YES/NO (See Below)	YES/NO (See Below)
Fertilizer Use	YES/NO (See Below)	YES/NO (See Below)
Landscape Practices	YES/NO (See Below)	YES/NO (See Below)
Container Storage	YES/NO (See Below)	YES/NO (See Below)

VIOLATIONS NOTED: (Explain each "NO" circled above)

RECOMMENDED REMEDIAL ACTIONS:

COMMENTS:

Based on the results of the inspection, necessary control modifications shall be implemented within 7 calendar days. These reports shall be kept on file as part of the detention pond maintenance & inspection for at least three years from the date of completion and submission of the Notice of Termination.

Certification Statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Site location: \_\_\_\_\_

INSPECTOR: \_\_\_\_\_ DATE: \_\_\_\_\_  
 (Signature)

NO.	REVISIONS	DATE	DRAWN BY	ENGR. CHK'D

**TEMPORARY BENCHMARK "A"** ELEVATION - 241.85  
 BEING A CUT BOX SET ON TOP OF A CONCRETE FLUME HEADWALL LOCATED ON THE WEST R.O.W. LINE OF P.M. 140 ON THE NORTH SIDE OF A GRAVEL DRIVEWAY APPROXIMATELY 1,680 FEET NORTH FROM ITS INTERSECTION WITH WILDWOOD TRACE. (SHOWN HEREON)

**TEMPORARY BENCHMARK "B"** ELEVATION - 211.28  
 BEING A CUT BOX SET ON TOP OF A CONCRETE TYPE C INLET LOCATED APPROXIMATELY SOUTH 12°3'48" EAST, 98.20 FEET FROM THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT. (SHOWN HEREON)



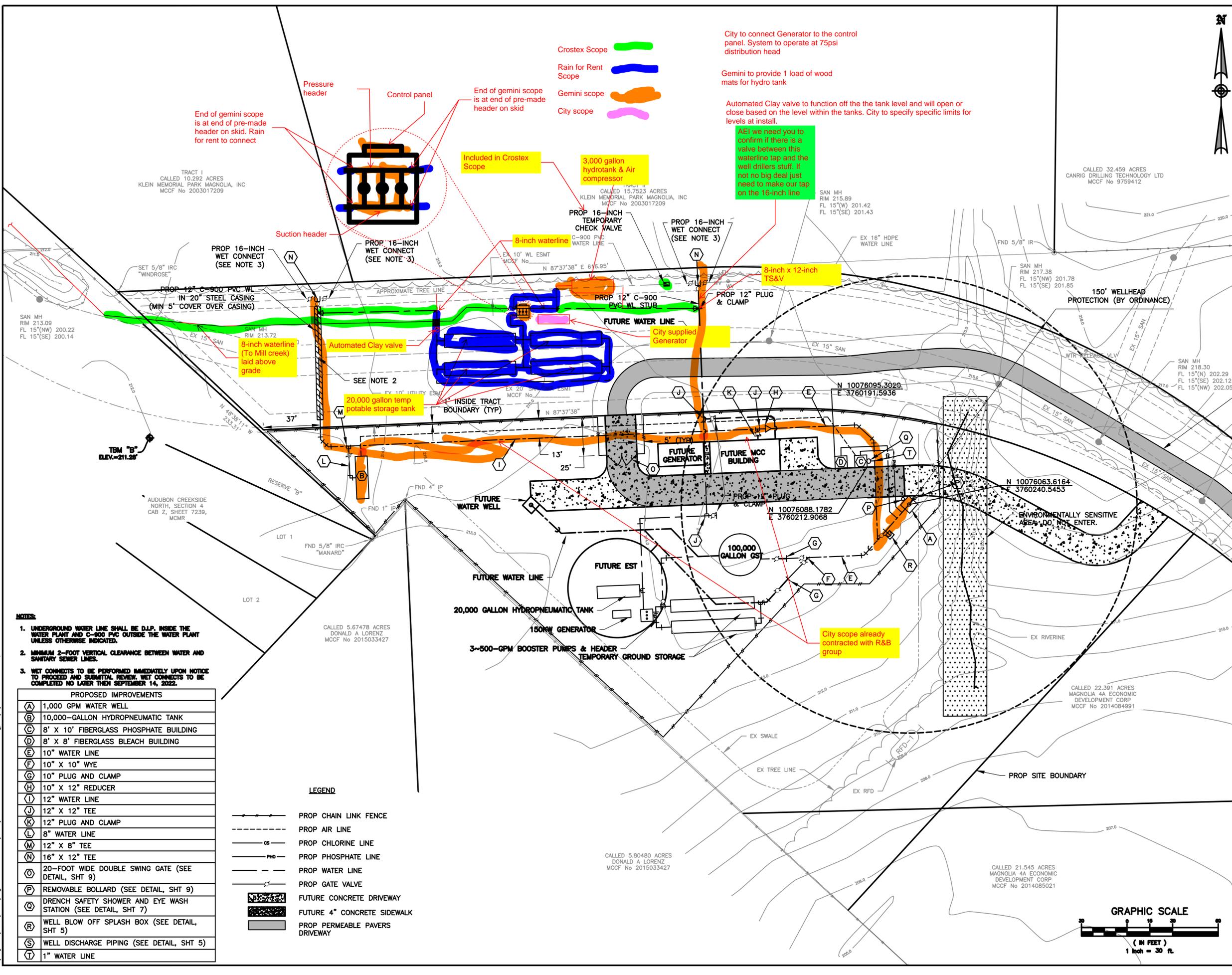
- Crostex Scope █
- Rain for Rent Scope █
- Gemini scope █
- City scope █

City to connect Generator to the control panel. System to operate at 75psi distribution head

Gemini to provide 1 load of wood mats for hydro tank

Automated Clay valve to function off the the tank level and will open or close based on the level within the tanks. City to specify specific limits for levels at install.

AET we need you to confirm if there is a valve between this waterline tap and the well drillers stuff. If not no big deal just need to make our tap on the 18-inch line



End of gemini scope is at end of pre-made header on skid. Rain for rent to connect

8-inch waterline (To Mill creek) laid above grade

20,000 gallon temp potable storage tank

3,000 gallon hydrotank & Air compressor

City scope already contracted with R&B group

- NOTES:**
- UNDERGROUND WATER LINE SHALL BE D.I.P. INSIDE THE WATER PLANT AND C-900 PVC OUTSIDE THE WATER PLANT UNLESS OTHERWISE INDICATED.
  - MINIMUM 2-FOOT VERTICAL CLEARANCE BETWEEN WATER AND SANITARY SEWER LINES.
  - WET CONNECTS TO BE PERFORMED IMMEDIATELY UPON NOTICE TO PROCEED AND SUBMITTAL REVIEW. WET CONNECTS TO BE COMPLETED NO LATER THEN SEPTEMBER 14, 2022.

PROPOSED IMPROVEMENTS	
(A)	1,000 GPM WATER WELL
(B)	10,000-GALLON HYDRO-PNEUMATIC TANK
(C)	8' X 10' FIBERGLASS PHOSPHATE BUILDING
(D)	8' X 8' FIBERGLASS BLEACH BUILDING
(E)	10" WATER LINE
(F)	10" X 10" WYE
(G)	10" PLUG AND CLAMP
(H)	10" X 12" REDUCER
(I)	12" WATER LINE
(J)	12" X 12" TEE
(K)	12" PLUG AND CLAMP
(L)	8" WATER LINE
(M)	12" X 8" TEE
(N)	16" X 12" TEE
(O)	20-FOOT WIDE DOUBLE SWING GATE (SEE DETAIL, SHT 9)
(P)	REMOVABLE BOLLARD (SEE DETAIL, SHT 9)
(Q)	DRENCH SAFETY SHOWER AND EYE WASH STATION (SEE DETAIL, SHT 7)
(R)	WELL BLOW OFF SPLASH BOX (SEE DETAIL, SHT 5)
(S)	WELL DISCHARGE PIPING (SEE DETAIL, SHT 5)
(T)	1" WATER LINE

**LEGEND**

	PROP CHAIN LINK FENCE
	PROP AIR LINE
	PROP CHLORINE LINE
	PROP PHOSPHATE LINE
	PROP WATER LINE
	PROP GATE VALVE
	FUTURE CONCRETE DRIVEWAY
	FUTURE 4" CONCRETE SIDEWALK
	PROP PERMEABLE PAVERS DRIVEWAY

**NOTICE:**  
 FOR YOUR SAFETY, YOU ARE REQUIRED BY TEXAS LAW TO CALL 811 AT LEAST 48 HOURS BEFORE YOU DIG SO THAT UNDERGROUND LINES CAN BE MARKED. THIS SIGNATURE DOES NOT FULFILL YOUR OBLIGATION TO CALL 811.

**VERIFICATION OF PRIVATE UTILITY LINES**

DATE: \_\_\_\_\_  
 CENTERPOINT ENERGY NATURAL GAS UTILITIES SHOWN (GAS SERVICE LINES ARE NOT SHOWN) THIS SIGNATURE NOT TO BE USED FOR CONFLICT VERIFICATION. SIGNATURE VALID FOR 90 DAYS.

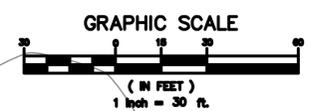
DATE: \_\_\_\_\_  
 CENTERPOINT ENERGY/UNDERGROUND ELECTRICAL FACILITIES VERIFICATION ONLY. (This signature verifies existing underground facilities-not to be used for conflict verification.) SIGNATURE VALID FOR 90 DAYS.

DATE: \_\_\_\_\_  
 ALL OTHER UTILITY LINES SHOWN. SIGNATURE VALID FOR ONE YEAR.

**AEI ENGINEERING**  
 11460 COMPAG CENTER DRIVE SUITE 600 HOUSTON, TEXAS 77070 (281)380-7027 www.aei-engineering.com

CITY OF MAGNOLIA WATER PLANT NO. 3 PHASE I

**PROPOSED SITE PLAN**



DRAWN	HLS	DESIGN	DJM	CHK'D	JCH
DATE	MAY 2022	SCALE	1" = 30' H		
SHEET	21				

E:\Projects\12559\0000\Magnolia Water Plant\000\04-PROP SITE PLAN\REVISION.dwg, 11/2/2022 8:46:32 AM, Ciro Ariza



TRACT I  
CALLED 10.292 ACRES  
KLEIN MEMORIAL PARK MAGNOLIA, INC  
MCCF No 2003017209

TRACT II  
CALLED 15.723 ACRES  
KLEIN MEMORIAL PARK MAGNOLIA, INC  
MCCF No 2003017209

TRACT III  
CALLED 32.459 ACRES  
CANRIS DRILLING TECHNOLOGY LTD  
MCCF No 0759412

SAN MH  
RM 213.09  
FL 15'(NW)  
200.22  
FL 15'(SE) 200.14

PROP 16-INCH  
WET CONNECT  
(SEE NOTE 3)

PROP 12" C-900 PVC WL  
IN 20" STEEL CASING  
(MIN 5' COVER OVER CASING)

PROP 16-INCH  
WET CONNECT  
(SEE NOTE 3)

PROP 16-INCH  
TEMPORARY  
CHECK VALVE

SAN MH  
RM 215.89  
FL 15'(W) 201.42  
FL 15'(SE) 201.43

SAN MH  
RM 217.38  
FL 15'(W) 201.78  
FL 15'(SE) 201.88

SAN MH  
RM 218.30  
FL 15'(N) 202.28  
FL 15'(SE) 202.15  
FL 15'(NW) 202.23

SAN MH  
RM 214.14  
FL 15'(NW) 202.10  
FL 15'(SE) 202.16

AUDUBON CREEKSIDE  
NORTH SECTION 4  
C&S 2, SHEET 7239,  
MCMR

LOT 1

LOT 2

CALLD 5.67478 ACRES  
DONALD A LORENZ  
MCCF No 2015033427

CALLD 5.80480 ACRES  
DONALD A LORENZ  
MCCF No 2015033427

CALLD 21.545 ACRES  
MAGNOLIA 4A ECONOMIC  
DEVELOPMENT CORP  
MCCF No 2014085021

CALLD 22.391 ACRES  
MAGNOLIA 4A ECONOMIC  
DEVELOPMENT CORP  
MCCF No 2014084991

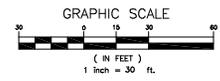
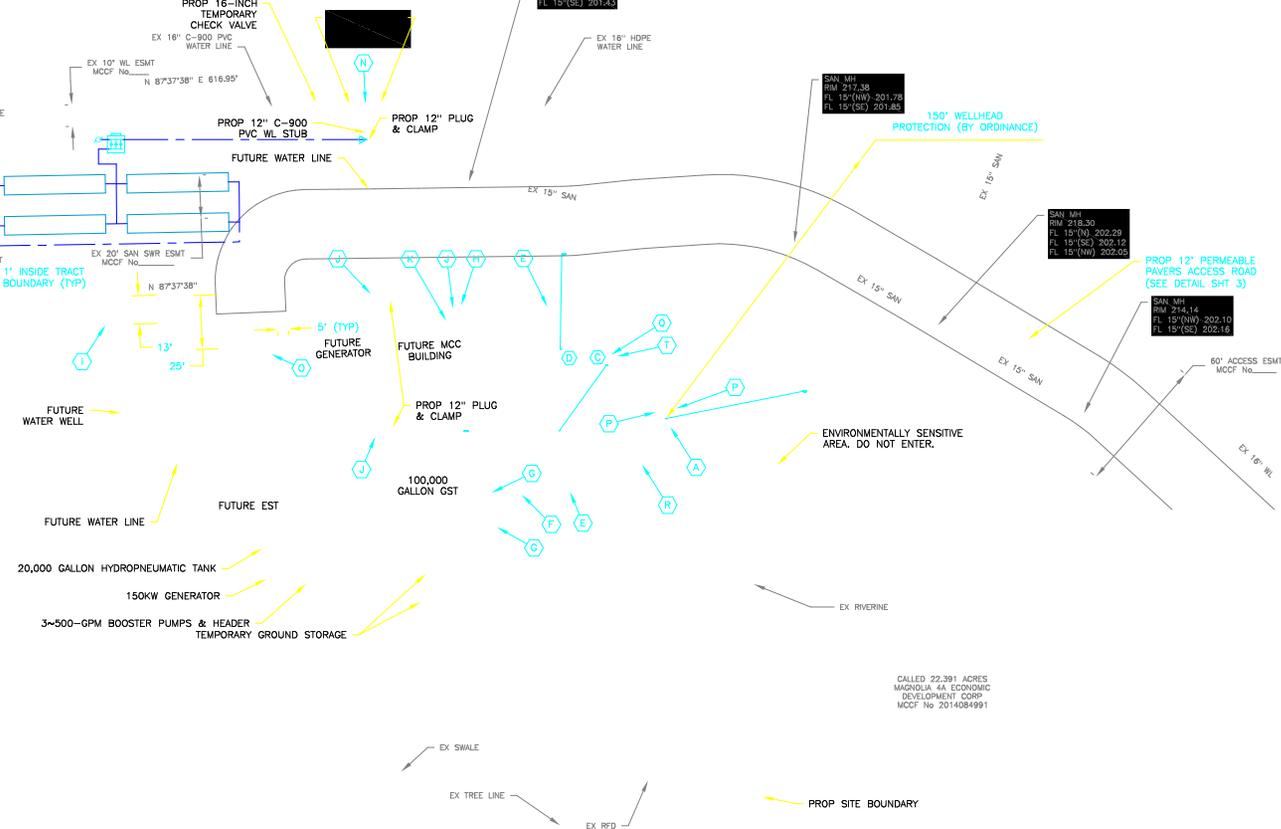
CITY OF MAGNOLIA  
WATER PLANT NO. 3 PHASE I

- NOTES:**
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(G)	10" PLUG AND CLAMP
(H)	10" X 12" REDUCER
(I)	12" WATER LINE
(J)	12" X 12" TEE
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(O)	20-FOOT WIDE DOUBLE SWING GATE (SEE DETAIL, SHT 9)
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(R)	WELL BLOW OFF SPLASH BOX (SEE DETAIL, SHT 5)
(S)	WELL DISCHARGE PIPING (SEE DETAIL, SHT 5)
(T)	1" WATER LINE

**LEGEND**

	PROP CHAIN LINK FENCE
	PROP AIR LINE
	PROP CHLORINE LINE
	PROP PHOSPHATE LINE
	PROP WATER LINE
	PROP GATE VALVE
	FUTURE CONCRETE DRIVEWAY
	FUTURE 4" CONCRETE SIDEWALK
	PROP PERMEABLE PAVERS DRIVEWAY

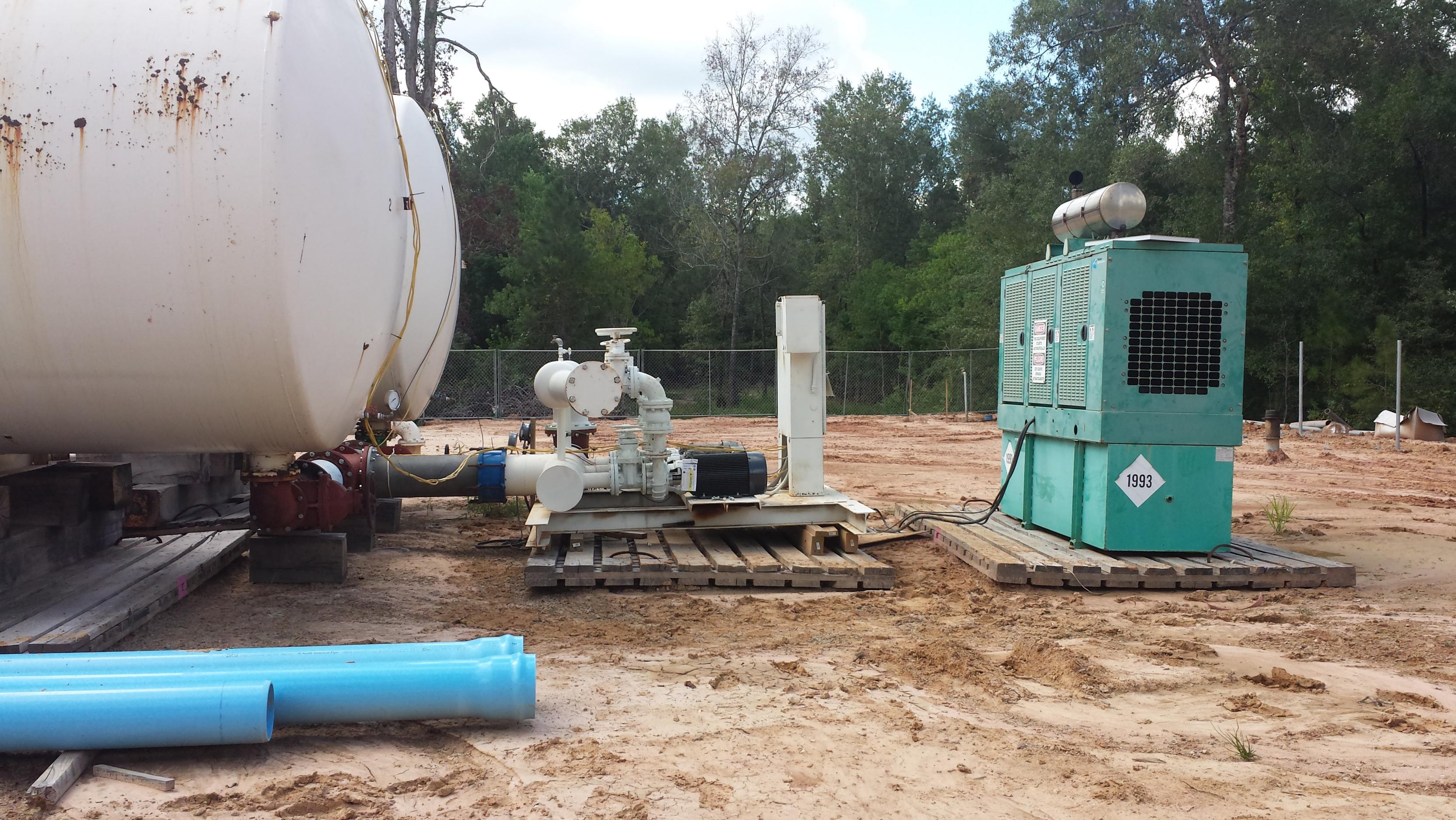


MAY 2022  
211009.40

1" = 30' H  
4



2



1993



**PROFESSIONAL SERVICES AGREEMENT**

This Agreement prepared on October 20, 2022 is by and between City of Magnolia with address at 18111 Buddy Riley Boulevard. Magnolia, Texas 77354 ("Client") and LJA Engineering, Inc. ("LJA"), who agree as follows:

Client engages LJA to perform professional services (the "Services") for the compensation set forth in one or more proposals or work authorizations (the "Proposal(s)") for one or more projects (the "Project(s)"). LJA shall be authorized to commence the Services upon execution of the Proposal(s) by the Client. Client and LJA agree that this Agreement, the Proposal(s), and any attachments herein incorporated by reference (the "Agreement") constitute the entire agreement between them.

**I. LJA'S RESPONSIBILITIES:** LJA shall perform or furnish the Services described in the Proposals, which shall be combined and attached as part of this Agreement. Where the terms or conditions of any Proposal conflict with those of Parts I-III contained herein, the Proposal shall control for the Services performed under that Proposal only.

**II. CLIENT'S RESPONSIBILITIES:** Client, at its expense, shall do the following in a timely manner so as not to delay the Services:

**1. INFORMATION/REPORTS:** Furnish LJA with all information, reports, studies, site characterizations, advice, instructions, and similar information in its possession relating to the Project.

**2. REPRESENTATIVE / ACCESS:** Designate a representative for the Project who shall have the authority to transmit instructions, receive information, interpret and define Client's policies, and make decisions with respect to the Services, and provide LJA safe access to any premises necessary for LJA to provide the Services.

**3. DECISIONS:** Provide all criteria and full information as to requirements for the Project, obtain (with LJA's assistance, if applicable) necessary approvals and permits, attend Project-related meetings, provide interim reviews on an agreed-upon schedule, make decisions on Project alternatives, and participate in the Project to the extent necessary to allow LJA to perform the Services.

**III. COMPENSATION, BILLING, & PAYMENT:** Client shall pay LJA for Services as denoted in the applicable Proposal and in accordance with the standard rate schedule – Attachment B.

**IV. STANDARD TERMS AND CONDITIONS:** Attachment A.

The persons signing this Agreement warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing and each of the undersigned parties has caused this Agreement to be duly executed. This Agreement contains a limitation of liability clause and the Client has read and consents to all terms.

**APPROVED FOR "CLIENT"**  
**CITY OF MAGNOLIA**

**APPROVED FOR "LJA"**  
**LJA ENGINEERING, INC.**

By: \_\_\_\_\_

By: Kenneth G. Schrock

Printed Name: \_\_\_\_\_

Printed Name: Kenneth G. Schrock

Title: \_\_\_\_\_

Title: Senior Vice President

Effective Date: \_\_\_\_\_

Attachments:  
A – Standard Terms and Conditions  
B – Standard Rate Schedule

## ATTACHMENT A STANDARD TERMS AND CONDITIONS

**1. STANDARD OF CARE.** Services shall be performed with the professional skill and care ordinarily provided by competent engineers practicing under the same or similar circumstances and professional license. Professional services are not subject to, and LJA cannot provide, any warranty or guarantee, express or implied, including warranties or guarantees contained in any uniform commercial code, work authorization, requisition, or notice, except as provided herein.

**2. CHANGE OF SCOPE.** The scope of Services set forth in any Proposal is based on facts known at the time of execution of the Proposal, including, if applicable, Client Data (defined below). As the Project progresses, facts discovered, including, but not limited to, site conditions or the existence of differing subsurface or physical conditions, may indicate that the scope, pricing, or other terms must be redefined, and the parties shall reasonably cooperate to equitably adjust the scope, pricing, or terms of this Agreement accordingly.

**3. SAFETY.** LJA has established and maintains corporate programs and procedures for the safety of its employees. Unless included as part of the Services, LJA specifically disclaims any authority or responsibility for general job site safety and safety of persons other than LJA employees.

**4. DELAYS.** The Services shall be performed expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer. Where LJA is prevented from completing any part of the Services within the schedule provided under the Agreement due to delay beyond its reasonable control, the schedule will be extended in an amount of time equal to the time lost due to such delay so long as LJA provides written explanation of the delay to Client. Except with regard to payment of any amounts due LJA from any Services, neither party shall be liable to the other for any delays or failure to act, due to unforeseeable causes reasonably beyond the control of the party claiming such circumstances.

**5. TERMINATION/SUSPENSION.** Either party may terminate this Agreement upon thirty (30) days written notice to the other party. In the event of termination, Client shall pay LJA for all Services, including profit relating thereto, rendered prior to termination, plus any expenses of termination. In the event either party defaults in its obligations under this Agreement (including Client's obligation to make the payments required hereunder), the non-defaulting party may suspend performance under this Agreement. In the event of a suspension of Services, LJA shall have no liability to the Client for delay or damage caused the Client because of such suspension of Services.

Before resuming Services, LJA shall be paid all sums due prior to suspension and any expenses incurred in the interruption and resumption of LJA's Services. LJA's fees for the remaining Services and the time schedules shall be equitably adjusted. Obligations under this Agreement, which by their nature would continue beyond the suspension or termination of this Agreement (e.g., indemnification), shall survive such suspension or termination.

**6. RELATIONSHIP WITH CONTRACTORS / REVIEW.** LJA shall serve as Client's professional representative for the Services, and may make recommendations to Client concerning actions relating to Client's contractors, but LJA specifically disclaims any authority to direct or supervise the means, methods, techniques, security or safety activities, personnel, compliance, sequences, or procedures of construction selected by Client's contractors. For Projects involving bid preparation, LJA may supply standard contract forms, templates, or other documents that will be executed between the Client and contractor(s). It is the Client's responsibility to review those documents and to obtain legal advice thereto. For Projects involving construction, Client acknowledges that under generally accepted professional practice, interpretations of construction documents in the field are normally required, and that performance of construction-related services by the design professional for the Project permits errors or omissions to be identified and corrected at comparatively low cost. Evaluations of Client's budget for construction and estimates prepared by LJA represent LJA's judgment as a design professional. It is recognized, however, that neither LJA nor Client have control over the cost of labor, materials, or equipment, the contractor's methods of determining bid prices, or competitive bidding, market, or negotiating conditions. Accordingly, LJA cannot and does not warrant or represent that bids or negotiated prices will not vary from Client's budget or from any estimate of costs prepared or agreed to by LJA. Client agrees to hold LJA harmless from any claims resulting from performance of construction-related services by persons other than LJA and LJA shall not be responsible for the contractor's failure to perform the Work in accordance with the requirements of the Contract Documents. In fulfilling its duties pursuant to the Agreement, Client permits LJA to elect to subcontract to others certain tasks in its scope of Services.

**7. INSURANCE.** LJA will maintain insurance coverage for Professional Liability, Commercial Liability, Auto, and Workers' Compensation in amounts in accordance with legal and business requirements. Certificates evidencing such coverage will be provided to Client upon request. For Projects involving construction,

Client agrees to require its construction contractor, if any, to include LJA as an additional insured on its policies relating to the Project. LJA's coverages referenced above shall, in such case, be excess over any contractor's primary coverage. Client shall require its construction contractor to include LJA as an indemnitee under any indemnification obligation of contractor to Client to the fullest extent allowed by law.

**8. PROJECTS WITH MULTIPLE CLIENTS.** When LJA undertakes a Project for multiple Clients, each Client on the Project is jointly and severally liable for payments for LJA's Services. If any Client fails to make timely payment to LJA, and the remaining Clients wish to continue the Project, the remaining Clients will promptly notify LJA in writing to continue the Project and their joint and several obligations shall remain the same. LJA, at its option, may suspend the remaining performance under this Agreement until all past due payments are made, and authorization to proceed and pay from all non-defaulting Clients is received, or continue work on the Project and invoice and collect from the remaining Clients any payment (including damages) of amounts past due and that become due.

**9. SITE CONDITIONS.** Hazardous, archaeological, paleontological, cultural, biological, or other materials, protected resources, unknown underground facilities, or other conditions ("Conditions") may exist at a site where there is no reason to believe they could or should be present. LJA and Client agree that the discovery of unanticipated Conditions constitutes a changed condition that may mandate a renegotiation of the scope of Services. LJA will notify Client should unanticipated Conditions be encountered. Client acknowledges and agrees that it retains title to all Conditions existing on the site and shall report to the appropriate public agencies, as required, any Conditions at the site that may present a potential danger to the public health, safety, or the environment. Client shall execute any manifests in connection with avoidance, containment, transportation, storage, or disposal of Conditions resulting from the site.

**10. INDEMNITY.** LJA shall indemnify Client from and against liability for damage to the extent that the damage is actually caused by or results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by LJA, LJA's agent, or another entity over which LJA exercises control.

**11. LIMITATION OF LIABILITY.** No employee or agent of LJA shall have individual liability to Client. Client agrees that, to the fullest extent permitted by law, LJA's total liability to Client for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to the Project or this Agreement from any causes including, but not limited to, LJA's negligence, errors, omissions, strict liability, or breach of contract, and whether claimed directly or by way of contribution, shall not exceed the total compensation received by LJA for the relevant work authorization or proposal under this Agreement. If Client desires a limit of liability greater than that provided above, Client and LJA shall include in Part III

of this Agreement the amount of such limit and the additional compensation to be paid to LJA for assumption of such additional risk.

**12. CONSEQUENTIAL DAMAGES.** IN NO EVENT WILL EITHER PARTY BE LIABLE TO THE OTHER FOR CONSEQUENTIAL, INCIDENTAL, PUNITIVE, SPECIAL, OR EXEMPLARY DAMAGES, INCLUDING LOST REVENUES, LOSS OF USE, LOSS OF FINANCING, LOSS OF REPUTATION, LOST PROFITS, DELAYS, OR OTHER ECONOMIC LOSS ARISING FROM ANY CAUSE INCLUDING BREACH OF WARRANTY, BREACH OF CONTRACT, TORT, STRICT LIABILITY OR ANY OTHER CAUSE WHATSOEVER, NOTWITHSTANDING ANY PROVISION OF THIS AGREEMENT TO THE CONTRARY. REGARDLESS OF LEGAL THEORY, LJA SHALL BE LIABLE ONLY TO THE EXTENT THAT ANY DAMAGES SPECIFIED HEREIN ARE FOUND BY A FINAL COURT OF COMPETENT JURISDICTION TO HAVE BEEN THE SEVERAL LIABILITY OF LJA. TO THE EXTENT PERMITTED BY LAW, ANY STATUTORY REMEDIES THAT ARE INCONSISTENT WITH THIS PROVISION OF THE AGREEMENT ARE WAIVED.

**13. REUSE OF PROJECT DELIVERABLES.** Reuse of any documents or other deliverables, including electronic media, pertaining to the Project by Client for any purpose other than that for which such were originally prepared, or alteration of such without the written verification or adaptation by LJA for the specific purpose intended, shall be at the Client's risk. All title blocks and the engineer's seal, if applicable, shall be removed if Client provides deliverables in electronic media to any third party. Any modification of the plans will be evidenced on the plans and be signed and sealed by a licensed professional prior to reuse of modified plans. Client agrees that relevant analyses, findings, and reports provided in electronic media shall also be provided in hard copy and that the hard copy shall govern in the case of a discrepancy between the two versions, and shall be held as the official set of drawings, as signed and sealed. Client shall be afforded a period of thirty (30) days to check the hard copy against the electronic media. In the event that any error or inconsistency is found during that time, LJA shall be advised and the inconsistency shall be corrected at no additional cost to Client. Following the expiration of this notice period, Client shall bear all responsibility for the care, custody, and control of the electronic media. In addition, Client represents that it shall retain the necessary mechanisms to read the electronic media. Client agrees to indemnify and hold harmless LJA from all claims, damages, and expenses (including reasonable litigation costs) arising out of such reuse or alteration by Client or others acting through Client.

**14. CLIENT DATA.** Client or any third party designated by Client may provide information, reports, studies, site characterizations, advice, instructions, and similar information in its possession relating to the Project ("Client Data"). LJA may reasonably and in good faith rely upon the accuracy of Client Data and unless described as part of the Services, LJA is not required to audit, examine, or verify Client Data. However, LJA will not ignore the

implications of information furnished to LJA and may make reasonable inquiries if Client Data as furnished appears to be incorrect or incomplete. LJA makes no representations or warranties (express or implied) as the quality, accuracy, usefulness, or completeness of any Services to the extent LJA relies on Client Data. LJA, its affiliates, its officers, directors, and employees shall have no liability whatsoever with respect to the use of unreliable, inaccurate, or incomplete Client Data.

**15. ASSIGNMENT/BENEFICIARIES.** Neither party may assign this Agreement without the written consent of the other party. With the exception of such assignments, nothing contained in this Agreement, nor the performance of the parties hereunder, is intended to benefit, nor shall inure to the benefit of, any third party, including Client's contractors, if any.

**16. AMENDMENT, NO WAIVER, & SEVERABILITY.** This Agreement can be amended in writing and signed by the parties. No waiver by either party of any default by the other party in the performance of this Agreement shall invalidate any other section of this Agreement or operate as a waiver of any future default, whether like or different in character. The various terms, provisions, and covenants herein contained shall be deemed to be separate and severable, and the invalidity or unenforceability of any of them shall not affect or impair the validity or enforceability of the remainder.

**17. INDEPENDENT PARTIES.** Each party is an independent entity and is not a partner, agent, principal, or employee of the other party, unless otherwise agreed to by the parties in writing. Nothing in this Agreement shall restrict or otherwise prohibit either party or their respective affiliates in the conduct of their businesses.

**18. STATUTE OF LIMITATION.** To the fullest extent permitted by law, the parties agree that the time period for bringing claims under this Agreement shall expire four (4) years after Project completion.

**19. STATUTORY TERMS APPLICABLE TO STATE POLITICAL SUBDIVISIONS.** As required by Chapter 2252 of the Texas Government Code (the "Code"), and as such terms are defined therein, LJA is not listed on, nor does not do business with, "Companies" that are on the Texas Comptroller of Public Accounts' list of "Designated Foreign Terrorist Organizations." As required by Chapter 2271 of the Code, and as such terms are defined therein, LJA verifies that it does not, nor will it, "boycott Israel" through the term of this Agreement. As required by Chapter 2274 of the Code, and as such terms are defined therein, LJA hereby verifies that it does not, nor will it, "boycott energy companies," through the term of this Agreement. As required by Chapter 2274 of the Code, and as such terms are defined therein, LJA hereby verifies that it does not have a practice, policy, guidance, or directive that discriminates against a "firearm entity" or "firearm trade association," and will not discriminate against a firearm entity or firearm trade association through the term of this Agreement. As required by Chapter 113 of the Texas Business & Commerce Code,

and as such terms are defined therein, LJA is not owned by nor has the majority of stock or other ownership interest of the company held by (i) individuals who are citizens of China, Iran, North Korea, Russia or a "designated country", or (ii) a company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea, Russia or a "designated country." LJA is headquartered in Houston, Texas.

**20. DISPUTE RESOLUTION.** The parties shall attempt to settle all claims, disputes, and controversies arising out of or in relation to the performance, interpretation, application, or enforcement of this Agreement, including but not limited to breach thereof, by discussion between the parties' senior representatives. If any dispute cannot be resolved in this manner, within five (5) business days, the parties agree to refer such claims, disputes, and controversies to mediation by a mediator mutually agreed to and equally paid for by the parties before, and as a condition precedent to, the initiation of any adjudicative action or proceeding. The parties specifically waive the right to arbitration. The mediator shall convene the mediation within ten (10) business days of the request of either party, and the mediation will last at such times and as long as the mediator reasonably believes agreement is probable. The parties agree that an officer of each entity with complete authority to resolve the dispute shall attend the mediation. Notwithstanding the foregoing, prior to or during negotiation or mediation, either party may initiate litigation that would otherwise become barred by a statute of limitation, and LJA may pursue, at any time and without invoking dispute resolution as provided herein, any property liens or other rights it may have to obtain security for the payment of its invoice. In the event any actions are brought to enforce this Agreement, the prevailing party shall be entitled to collect its litigation costs including reasonable attorney's fees from the other party.

**21. LITIGATION SUPPORT.** LJA will not be obligated to provide expert witness or other litigation support related to its Services, unless expressly agreed in writing. In the event LJA is required to respond to a subpoena, inquiry, or other legal process related to the Services in connection with a proceeding to which LJA is not a party, Client will reimburse LJA for its costs and compensate LJA at its then standard rates for the time it incurs in gathering information and documents and attending depositions, hearings, and the like.

**22. GOVERNING LAW.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Texas without giving effect to any conflict or choice of law rules or principles under which the law of any other jurisdiction would apply. Each party hereby submits to the jurisdiction of the federal and state courts located in Montgomery County and agrees that such courts shall be exclusive forum and venue for resolving any legal suit, action or proceeding arising out of or relating to this Agreement.

**ATTACHMENT B  
PROPOSAL/WORK AUTHORIZATION**

LJA Engineering, Inc. ("LJA"), hereby makes the following proposal to the City of Magnolia (the "City") for the fee simple acquisition of a parcel of land for a Water Plant located along Whistle Stop Lane in Magnolia Texas. The property is currently owned by Magnolia Ridge Development LLC. The site may include an easement for the required buffer zone.

**Right of Way Negotiations**

Prepare and deliver or mail the property owners a copy of the Landowner's Bill of Rights. Review survey and facilitate any changes required with the Engineer and Surveyor. Prepare offer letters based on approved values. Make initial contact with landowners and respond to landowner's inquiries. Negotiate with landowners and prepare Supplemental Agreement Letters when needed. Prepare and execute Letters of Agreement regarding compensation with landowners. Provide a copy of the survey to the landowner. Maintain parcel file with all correspondence and documents related to the purchase of the easements.

**Easement Values**

The offer amount for the easements will be determined using values provided by the City of Magnolia. All values used in negotiations will be preapproved by City of Magnolia and any counteroffer proposed by the landowner will be submitted to City of Magnolia for approval prior to acceptance. Should a certified appraisal become necessary, LJA will request fee proposal(s) from a qualified appraiser and submit said proposal(s) to City of Magnolia for approval.

**Surveying Services**

City of Magnolia will obtain all surveys and other engineering needed for the project. Surveying services will include an exhibit with a metes and bounds description of the easement and a drawing depicting the easement prepared by a licensed surveyor on each tract of land acquired. Surveying services are separate and apart from this proposal, and any fees or costs associated with surveying services will be invoiced separately.

**Abstracting and Title Services**

LJA will arrange for the abstracting and title services with an approved vendor. Abstracting and title services includes researching the chain of title using public records available in the Brazoria County official real property records; researching any liens, mortgages or judgments against the property; and providing title insurance on the acquisition. Abstracting and title services are separate and apart from this proposal, and any fees or costs associated with surveying services will be invoiced separately.

**Closing Services**

LJA will secure execution of the easement and deed documents prepared and approved by the City. LJA will return recorded documents to the City. LJA will facilitate the transfer of a title policy from the title company.

**Fee for Services**

LJA's fee for the right-of-way negotiations is \$4,500.00 per parcel, which includes mileage and administrative costs such as the preparation of a closing package, title recording fees, document preparation, etc. LJA will only bill for parcels being acquired. Any additional services or fees must be preapproved by the City of Magnolia prior to invoicing.

**Invoicing and Milestones**

Invoices will be submitted as outlined below:

Initial Offer Letter	40% per parcel
Recording of the easement/deed or issuance of a Final Offer Letter	40% per parcel
Submission of a Closing File or Condemnation Package	20% per parcel

In addition, any third-party costs, such as fees for surveys, title commitments, and appraisals, are invoiced separately and apart from LJA services. These third-party billings can be billed through the LJA invoices or billed directly by the third-party service provider based on the City of Magnolia's discretion.

**Termination of Contract**

The contract terminates after completing the acquisition of the said easements/property or submitting the condemnation package if the negotiations are unsuccessful. Any additional services or fees must be approved by City of Magnolia and any extension or change to the project/contract must be made by mutual written consent.

Approved By: \_\_\_\_\_  
CITY OF MAGNOLIA ENGINEERING

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approved By: \_\_\_\_\_  
LJA ENGINEERING, INC.

*Kenneth G. Schrock*

Kenneth G. Schrock, P.E.

Title: Senior Vice President

Date: 10/20/2022

## Mike Kurzy

---

**From:** Jay Norris <jnorris@lja.com>  
**Sent:** Monday, October 17, 2022 3:32 PM  
**To:** Mike Kurzy  
**Subject:** RE: Magnolia- Potential Water Plant Site

**\*\*\* CAUTION: Think Security!** This email originated from outside of Baxter & Woodman, Inc. Do not click on links or open attachments unless you recognize the sender and know that the content is safe.

Hi Mike,

Bruce at MI Homes had another conversation with the owners of the land around their development and he wanted to know if the 1.6 acres south of the cul de sac would work for a plant site. See below and let me know.

Initially, the owners told Bruce that they would not separate it from the total 8.6 acres. However, Bruce now feels that he can convince the owners to part with the 1.6 acre section separately.

Will this location and size work for a plant?



Jay Norris  
Right-of-Way Project Manager  
C: 713.444.2571



## Task Force for the Unified Development Code Update City of Magnolia, Texas

October 25, 2022

The City of Magnolia is updating the Unified Development Code. Currently, most projects require development and utility agreements for approval, which indicates a code review is necessary. The purpose is to provide clarity, a more streamlined approach, and a clear direction of the rules to the development community, reducing the amount of review time necessary to approve each project.

A list of task force members is proposed to update the Unified Development Code. Key community members involved with the planning and zoning chapters of the code are identified for this group. At every meeting, the task force members work together to make the code more user-friendly for everyone, with clear rules and help remove barriers that prevent a streamlined process for development.

The recommended Unified Development Code Update members include:

- Scott Shelburne, City of Magnolia Planning and Zoning Committee Chair
- Robert Barker, City of Magnolia Planning and Zoning Member
- Christian Gable, City of Magnolia Planning Coordinator
- Rachel Steele, City of Magnolia Economic Development Coordinator
- Don Doering, City of Magnolia City Administrator
- Doc Dantzer, City of Magnolia Resident
- Barbara Gardner, City of Magnolia Resident
- Katy Harris, LJA Engineering Associate Principal Planner
- Cam Miller, Project Manager, Quiddity
- Cristin Emshoff, Urban Planner in the City Engineer's Office, AEI Engineering

**ORDINANCE NO. O-2019-007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AMENDING CHAPTER 94, ARTICLE IV, DIVISION 2 AND ADOPTING WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR EACH OFFENSE, AND PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Magnolia, Texas has studied the present provisions of Chapter 94 “Utilities” of the Code of Ordinances of the City of Magnolia; and

**WHEREAS**, the City Council is continually reviewing the provisions of the Code of Ordinances relating to the elimination of hazards and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants;

**WHEREAS**, it is necessary that a Water Conservation and Drought Contingency Plans be updated and adopted by the City of Magnolia, Texas; and

**WHEREAS**, the City Council of Magnolia, Texas believes that such plans are in the best interest of the citizens and customers of the Magnolia Water System and Wastewater System;  
**NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:**

**Section 1.** Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted as findings of fact and conclusions of law by the City Council and made a part hereof for all purposes.

**Section 2.** Amendments. Article IV, of Chapter 94 entitled “WATER” of the City of Magnolia Code of Ordinances is hereby amended by amending sections 94-128 and 94-129 as shown in attached Exhibit “A” and incorporated herein for all purposes.

**Section 3.** The Magnolia Texas Water Conservation and Drought Contingency Plans

attached hereto as Exhibits "B" and "C" are adopted for all purposes and as the official policy of the City of Magnolia, Texas.

**Section 4.** Repealing Clause. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**Section 5.** Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

**Section 6.** Compliance Clause and Effective Date. The City Council finds, determines and declares that a sufficient written notice was posted, and this Ordinance was passed in accordance with the Open Meetings Act. The City Secretary is instructed to publish this Ordinance in the Official Newspaper of the City of Magnolia in the manner provided and for the time required by Section 52.011(a) of the Local Government Code, at which time this Ordinance takes effect.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Magnolia, Montgomery County, Texas on this the 9th day of April 2019.



CITY OF MAGNOLIA, TEXAS

Todd Kana, Mayor

ATTEST:

Lynne George, CPM, TRMC  
City Secretary

# **EXHIBIT "A"**

## **CHAPTER 94 "UTILITIES"**

### **ARTICLE IV. WATER**

#### **DIVISION 2. - WATER CONSERVATION**

**Sec. 94-128. - Drought plan adopted by reference.**

The city water conservation and drought contingency plans may be updated from time to time by exhibit attached to an ordinance adopted by City Council and made a part hereof for all purposes as if set forth verbatim are adopted as the official policy of the city.

**Sec. 94-129. - Penalty.**

The penalties for violation of the Drought Contingency Plan are the penalties contained in the Drought Contingency Plan as adopted by Ordinance by the City Council in Section 94-128.

EXHIBIT B

Report for  
**City of Magnolia, Texas**

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Water Conservation Plan

Prepared by:

STRAND ASSOCIATES, INC.®  
1906 Niebuhr Street  
Brenham, TX 77833  
[www.strand.com](http://www.strand.com)

April 2019



The purpose of the City of Magnolia, Texas (City) Water Conservation Plan (Plan) is to effectively manage public water resources. This Plan fulfills the requirements of the Texas Administrative Code, Section 288, regarding water conservation planning for municipal uses by public water suppliers.

This Plan recognizes that conservation is a valuable tool in managing water and wastewater utility systems. Benefits of water conservation include extending available water supplies, reducing the risks of shortage during periods of extreme drought, reducing water and wastewater utility operating costs for water service, reducing wastewater flows, improving the performance of wastewater treatment systems, and enhancing the water quality and environment.

The provisions of this Plan shall apply to all persons, customers, and property using water provided by the utility system. The terms "person" and "customer" as used in this Plan include individuals, corporations, partnerships, associations, and all other legal entities.

### **AUTHORIZATION AND IMPLEMENTATION**

The City Mayor, or his/her designee, is hereby authorized and directed to implement the applicable provisions of this Plan.

Further, the City Mayor, or his/her designee, will act as Administrator of the Water Conservation Program. He/she will oversee the execution and implementation of the program and will be responsible for keeping adequate records for program verification.

This Plan was approved by the City. A copy of the resolution approving this Plan is included in Appendix A.

### **WATER CONSERVATION PLAN ELEMENTS**

#### **A. Record Management System**

The City currently has a billing system that classifies the water sales into the specific categories. This system is used monthly to send out billing and, with it, has the appropriate address, consumption, and category associated. The categories include the following: single-family residential, multi-family residential, commercial, institutional, and wholesale.

#### **B. Specific, Quantified 5- and 10-year Targets**

The goal is to reduce water use and production through the medium of actual water use reduction by customers and by reducing lost or unaccounted for water to the extent feasible. Five-year and 10-year goals for reduction in water use per capita are provided in Appendix B.

#### **C. Measuring and Accounting for Diversions**

A master meter shall be installed on each water well. In order to account for water not distributed through customers' meters, this Plan requires anyone taking water from a fire hydrant or similar device (i.e. a contractor for temporary construction purposes) to coordinate with the City to have a temporary meter installed for measurement and recording of the amount of water acquired. The amount of water lost when flushing lines shall be estimated using flow calculations. These calculations shall be conducted using a

pitot meter (or other approved flow measurement device), flow area measurements, and duration of flushing.

D. Universal Metering

All utility customers shall be metered. A regularly scheduled maintenance program of meter repair and replacement will be performed on a case-by-case basis with Production (master) meters tested once a year by the City. All well meters are tested annually and calibrated. Every billing cycle a zero-use list is produced and verified. Meters are checked for proper sizing when a new service is installed or activated.

E. Measures to Determine and Control Water Loss

The City shall conduct audits of the water system. Areas to be reviewed shall include overall system water usage, unmetered water usage (i.e., main line flushing or fire hydrant testing), and direct water usage by the utility. Leaks shall be repaired as soon as they are identified to minimize losses.

F. Continuing Public Education and Information

The City will print conservation messages on every customers' utility bill. Also, seasonal conservation messages will be mailed out with every customers' utility bill prior to each season change. Information for customers will be provided on the City Web site regarding water conservation.

G. Non-promotional Water Rate Structure

See Appendix C for the City's water rate structure. The rates structures are increasing block rates, which are designed to discourage excessive water use.

H. Reservoir Systems Operations Plan

This is not applicable for the City.

I. Enforcement Procedure and Plan Adoption

Implementation of system operational measures to reduce water loss and unaccounted for water is ongoing and will continue. The City will provide information on water-saving measures and devices to existing customers on an annual basis and to new customers (new connections) when they apply for water service.

The City measures and records water production from its wells on a daily basis. The recorded information is available for review and evaluation daily. Residential water meters are read monthly. On a monthly basis the City reads meters for service to its customers, and the usage is tracked by the billing group.

Provision for implementation of this Plan is given in Section 2.0.

J. Coordination with the Regional Water Planning Group(s)

The notification transmittal letter to Region H Regional Water Planning Group is included in Appendix D.

K. Plan Review and Update

This Plan was developed to fulfill requirements of the Texas Water Development Board (TWDB) and of Texas Administrative Code Subchapter B, Section 288. As required, this Plan will be reviewed at a minimum of every five years and updated based on new or changing conditions in the service area.

As currently required, an annual report on the City's progress in implementing the Plan shall be submitted to the executive administrator of the TWDB.

L. Leak Detection and Repair

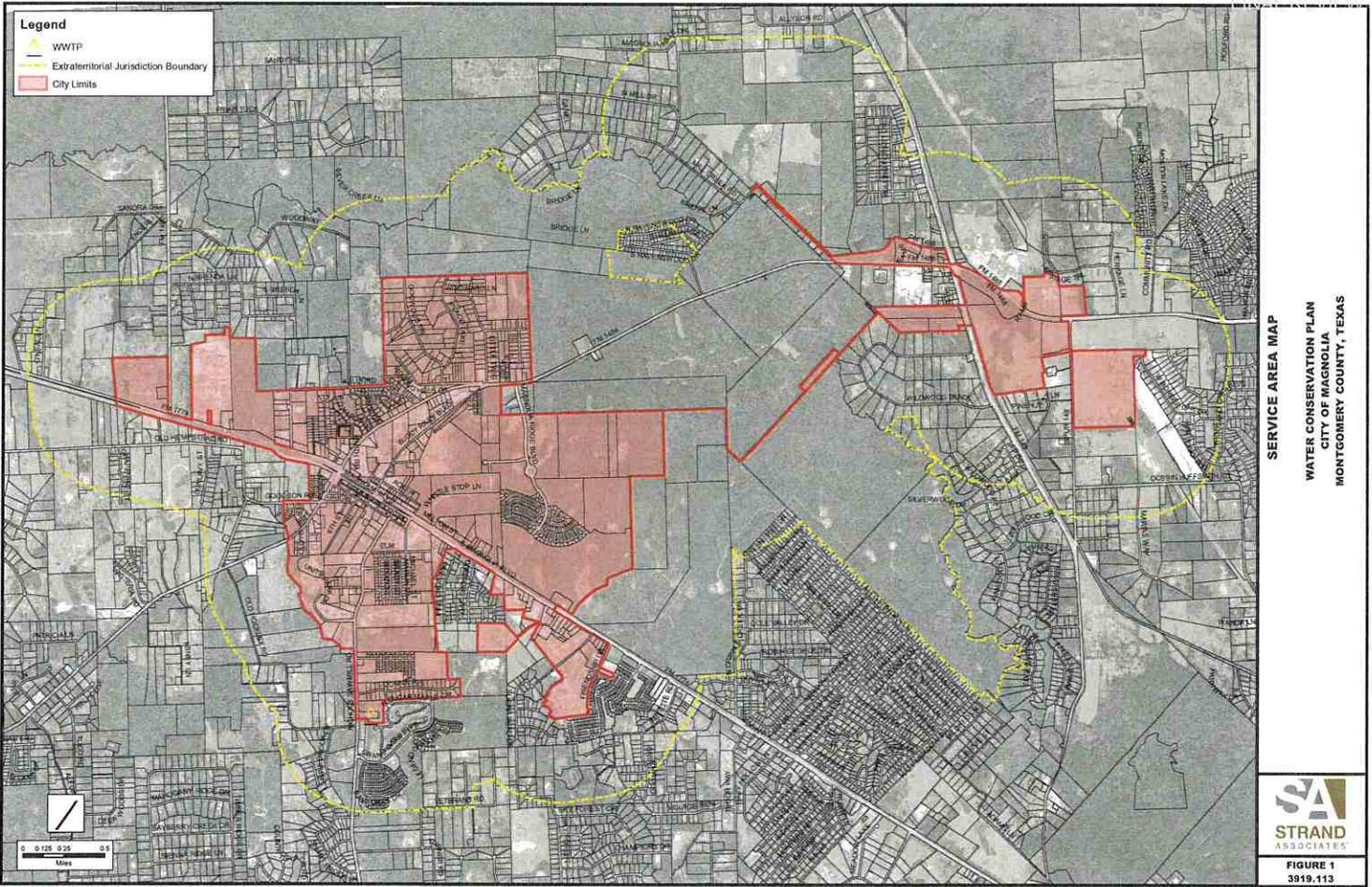
This Plan requires the City to police the distribution system daily. Daily inspection includes the water production from each of the wells. The intent of the Plan is to evaluate water production from the wells on a daily basis and to evaluate water loss reports as soon as new information is available to assist in identifying a water leak or abnormal usage.

M. Contract Requirements

Every wholesale water supply contract initiated with the City must implement a water conservation plan or water conservation plan measures in accordance with the Texas Administrative Code.

**FIGURE 1**  
**SERVICE AREA MAP**

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SERVICE AREA MAP

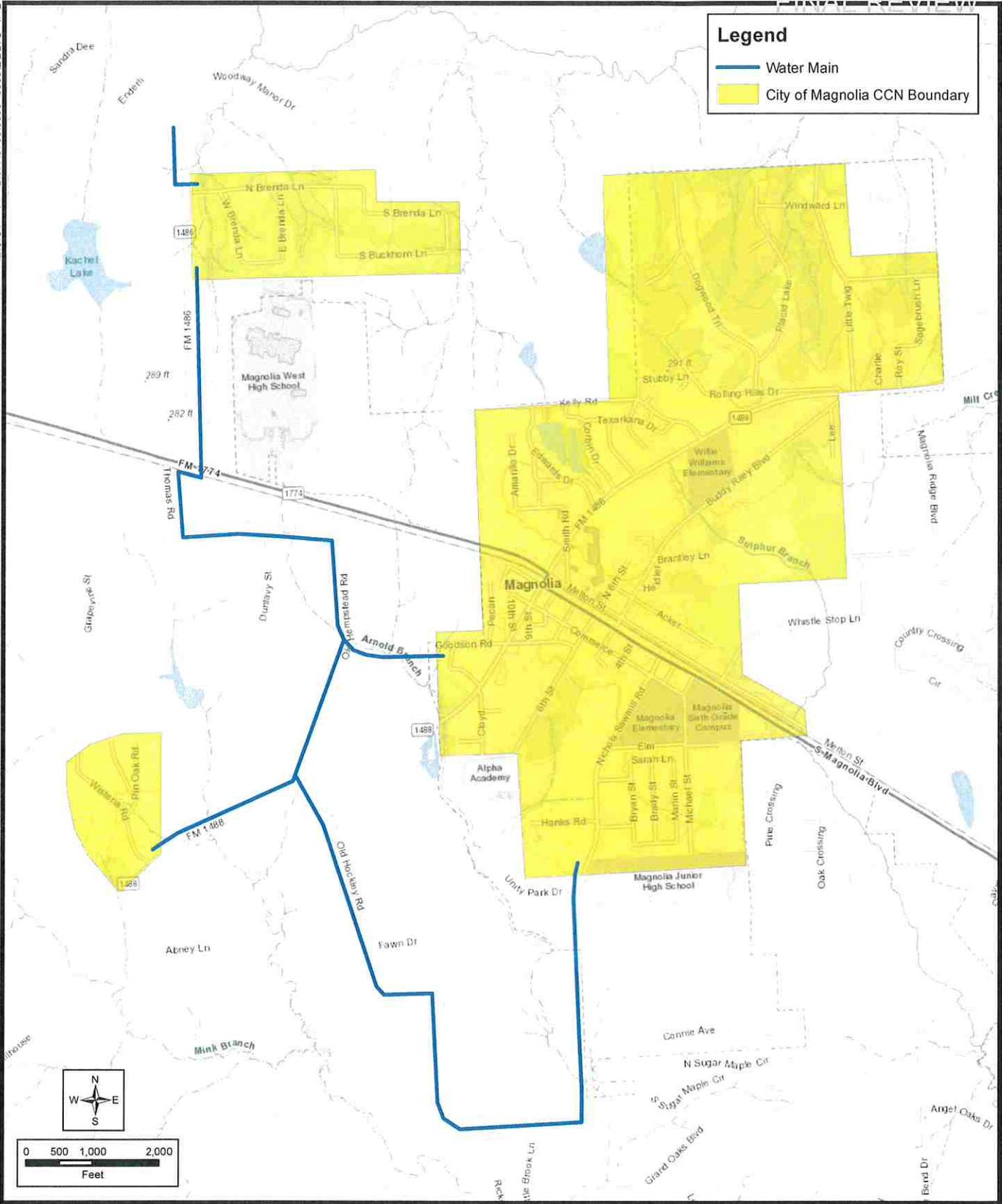
WATER CONSERVATION PLAN  
CITY OF MAGNOLIA  
MONTGOMERY COUNTY, TEXAS

**FIGURE 2**  
**CERTIFICATE OF CONVENIENCE AND NECESSITY MAP**

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**Legend**

- Water Main
- City of Magnolia CCN Boundary



Path: S:\BRE\3900-3999\3919\13\Drawings\GIS\Figures\Necessity Map 8x11.mxd

User: Danc

Date: 4/4/2019

Time: 8:21:54 AM

### CERTIFICATE OF CONVENIENCE AND NECESSITY MAP

**WATER CONSERVATION PLAN  
CITY OF MAGNOLIA  
MONTGOMERY COUNTY, TEXAS**



**FIGURE 2  
3919.113**



**APPENDIX A**

**RESOLUTION ##### - #####**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MAGNOLIA, TEXAS  
ADOPTING A WATER CONSERVATION PLAN**

WHEREAS, the City of Magnolia recognizes its water supply serves as an essential resource for health and safety of our citizens, local fire protection, residential and commercial landscaping support, and is a critical link in economic development for our community; and,

WHEREAS, a Water Conservation Plan ("Plan") is required by the San Jacinto River Authority; and

WHEREAS, the City wishes to implement and promote conservation of its water resources; and

WHEREAS, the Plan is to effectively manage public water resources.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Magnolia, Texas, that:

Section 1. The City Council hereby approves and adopts the Water Conservation Plan attached hereto and dated April 2019.

Section 2. The Water Conservation Plan fulfills and follows the state guidelines in the Texas Administrative Code, Section 288 regarding water conservation planning for municipal uses by public water suppliers.

Section 3. This resolution shall be effective immediately upon adoption.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Magnolia this 9th day of April, 2019.

\_\_\_\_\_  
Todd Kana, Mayor  
City of Magnolia, Texas

ATTEST:

\_\_\_\_\_  
City Secretary, Lynne George

FINAL REVIEW

**APPENDIX B**  
**UTILITY PROFILE (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**FORM NO. 10218**

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## Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

Telephone (512) 239-4691, FAX (512) 239-2214

### Utility Profile and Water Conservation Plan Requirements for Municipal Water Use by Retail Public Water Suppliers

This form is provided to assist retail public water suppliers in water conservation plan assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Water users can find best management practices (BMPs) at the Texas Water Development Board's website <http://www.twdb.texas.gov/conservation/BMPs/index.asp>. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

#### Contact Information

Name of Water Supplier: City of Magnolia

Address: 18111 Buddy Riley Boulevard

Telephone Number: (281) 356-2266 Fax: ( )

Water Right No.(s): N/A

Regional Water Planning Group: Region H

Water Conservation Coordinator (or person responsible for implementing conservation program): Todd Kana Phone: (281) 356-2266

Form Completed by: Todd Kana

Title: Mayor

Signature: \_\_\_\_\_ Date: / /

**A water conservation plan for municipal use by retail public water suppliers must include the following requirements (as detailed in 30 TAC Section 288.2). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.**

## City of Magnolia Utility Profile

### I. POPULATION AND CUSTOMER DATA

#### A. *Population and Service Area Data*

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN). See attached Figures 1 and 2
2. Service area size (in square miles): 4.76  
(Please attach a copy of service-area map)
3. Current population of service area: 4,597
4. Current population served for:
  - a. Water 4,597
  - b. Wastewater 4,597

5. Population served for previous five years:

<u>Year</u>	<u>Population</u>
<u>2018</u>	<u>4,597*</u>
<u>2017</u>	<u>4,485*</u>
<u>2016</u>	<u>4,373*</u>
<u>2015</u>	<u>4,261*</u>
<u>2014</u>	<u>4,174*</u>

\* - The population served was estimated from the TWDB City Population + the difference between the TWDB 2021 Regional Water Plan Population Projections for 2020-2070 Municipal Water User Group Summary and the 2016 Regional Water Plan Population Projections for 2020-2070 City Summary.

6. Projected population for service area in the following decades:

<u>Year</u>	<u>Population</u>
<u>2020</u>	<u>4,821</u>
<u>2030</u>	<u>5,789</u>
<u>2040</u>	<u>7,056</u>
<u>2050</u>	<u>8,912</u>
<u>2060</u>	<u>11,632</u>

The population served was taken from the 2021 Regional Water Plan Population Projections for 2020-2070 Municipal Water User Group Summary.

7. List source or method for the calculation of current and projected population size.

Texas Water development Board: 2021 Regional Water Plan-Population Projections for 2020-2070

*B. Customer Data*

Senate Bill 181 requires that uniform consistent methodologies for calculating water use and conservation be developed and available to retail water providers and certain other water use sectors as a guide for preparation of water use reports, water conservation plans, and reports on water conservation efforts. A water system must provide the most detailed level of customer and water use data available to it, however, any new billing system purchased must be capable of reporting data for each of the sectors listed below. More guidance can be found at: <http://www.twdb.texas.gov/conservation/doc/SB181Guidance.pdf>

1. Quantified 5-year and 10-year goals for water savings:

	<i>*Historic 5-year Average</i>	<i>Baseline</i>	<i>**5-year goal for year 2024</i>	<i>**10-year goal for year 2029</i>
Total GPCD	129	129	126	123
Residential GPCD	129	129	126	123
Water Loss GPCD	12	12	12	11
Water Loss Percentage	9.1	9.1	9.1	9.1

Notes:

Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

\* - Source LSGWCD Annual Pumping Reports

\*\* - Reductions based upon 2.5% and 5.0% goals set by San Jacinto River Authority's current Water Conservation Plan.

2. Current number of active connections. Check whether multi-family service is counted as

Residential or  Commercial?

<i>Treated Water Users</i>	<i>Metered</i>	<i>Non-Metered</i>	<i>Totals</i>
Residential	1,044	0	1,044
Single-Family	1,026	0	1,026
Multi-Family	18	0	18
Commercial	183	0	183
Industrial/Mining	0	0	0
Institutional	40	0	40
Agriculture	5	0	5
Other/Wholesale	2	0	2

3. List the number of new connections per year for most recent three years.

<i>Year</i>	<i>2018</i>		
<i>Treated Water Users</i>			
Residential	58		
Single-Family	56		
Multi-Family	2		
Commercial	9		
Industrial/Mining	0		
Institutional	34		
Agriculture	5		
Other/Wholesale	1		

4. List of annual water use for the five highest volume customers.

<i>Customer</i>	<i>Use (1,000 gal/year)</i>	<i>Treated or Raw Water</i>
30400 Nichols Sawmill	26.731	Treated
31138 Nichols Sawmill	23.070	Treated
31900 Nichols Sawmill	2.511	Treated
18106 FM 1488	1.951	Treated
102 Purvis Office	1.806	Treated

II. WATER USE DATA FOR SERVICE AREA

A. Water Accounting Data

1. List the amount of water use for the previous five years (in 1,000 gallons).

Indicate whether this is  diverted or  treated water.

<i>Year</i>	2018	2017	2016	2015	2014
<i>Month</i>					
January	17,422	19,258	*	13,345	12,363
February	13,389	13,024	*	12,162	10,728
March	17,390	15,142	*	13,108	11,907
April	16,342	15,417	*	13,084	12,388
May	18,981	18,793	*	14,320	13,530
June	19,322	17,339	*	14,504	13,333
July	21,248	20,362	*	16,842	14,172
August	20,056	16,021	*	19,709	16,655
September	16,511	16,236	*	16,179	13,728
October	14,805	17,598	*	16,487	14,146
November	25,003	15,483	*	14,225	12,065
December	15,824	14,353	*	17,087	12,542
<b>Totals</b>	<b>216,293</b>	<b>199,026</b>	<b>194,524**</b>	<b>181,052</b>	<b>157,557</b>

\* - Well 3 meter was out of service so monthly data is not available

\*\* - As reported to Lone Star Groundwater Conservation District

2. Describe how the above figures were determined (e.g, from a master meter located at the point of a diversion from the source or located at a point where raw water enters the treatment plant, or from water sales).

From the master meter of each well entering the water plant

3. Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

<i>Year</i>	2018	2017	**
<i>Account Types</i>			
Residential	74.818	62.683	
Single-Family	69.629	59.699*	
Multi-Family	5.189	2.993	
Commercial	139.287	165.894*	
Industrial/Mining	0	0	
Institutional	32.604	783.888*	
Agriculture	.071	0	
Other/Wholesale	27.732	24.630	

\* - Billing number was adjusted based on billing error

\*\* - Billing information was not available.

4. List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

<i>Year</i>	<i>Amount (gallons)</i>	<i>Percent %</i>
2018	19,682,663	9.1
2017	21,106,332	10.8
2016	83,645,320	43
2015	34,390,380	19
2014	30,881,172	19.6

*B. Projected Water Demands*

1. If applicable, attach or cite projected water supply demands from the applicable Regional Water Planning Group for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirements from such growth.

See Appendix E

**III. WATER SUPPLY SYSTEM DATA**

*A. Water Supply Sources*

1. List all current water supply sources and the amounts authorized (in acre feet) with each.

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
Surface Water	0	0
Groundwater	3	654.5 gpm*
Other		

\* - Per LSGCD Permit No. OP-04041601A and HUP 039.

*B. Treatment and Distribution System (if providing treated water)*

1. Design daily capacity of system (MGD): 2.26
2. Storage capacity (MGD):
  - a. Elevated 400,000
  - b. Ground 412,000
3. If surface water, do you recycle filter backwash to the head of the plant?  
 Yes     No    If yes, approximate amount (MGD):

**IV. WASTEWATER SYSTEM DATA**

*A. Wastewater System Data (if applicable)*

1. Design capacity of wastewater treatment plant(s) (MGD): 1.3 MGD by 2020; currently 0.65 MGD
2. Treated effluent is used for  on-site irrigation,  off-site irrigation, for  plant wash-down, and/or for  chlorination/dechlorination.

If yes, approximate amount (in gallons per month):

3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

The City operates and maintains a WWTP and collection and conveyance facilities consisting of gravity sewers, lift stations, and associated force mains. The WWTP currently has two treatment trains, with a third being added by 2020. Each treatment train operates with manual screening, coarse bubble diffused aeration tanks, and final clarifiers. The effluent is chlorinated and discharge to Arnold Branch. Tertiary Filtration and postaeration will be installed by 2020.

a. TCEQ Name and Number: City of Magnolia Wastewater Treatment Facility, TCEQ Permit No. WO0014903001

b. Operator: David Coburn

c. Owner: City of Magnolia

d. Receiving Stream: Arnold Branch

**B. Wastewater Data for Service Area (if applicable)**

1. Percent of water service area served by wastewater system:      %
2. Monthly volume treated for previous five years (in 1,000 gallons):

<i>Year</i>	2012	2013	2014	2015	2016
<i>Month</i>					
January	8,367	8,124	8,103	7,878	10,287
February	8,838	6,654	7,324	6,255	9,575
March	8,605	6,585	8,041	9,045	9,756
April	6,669	6,998	6,706	7,202	10,140
May	6,728	7,137	9,190	10,955	10,749
June	5,894	5,985	6,388	9,831	10,738
July	8,147	6,307	6,696	8,429	9,176
August	6,764	7,304	6,514	8,287	12,264
September	6,916	6,968	7,463	8,464	9,164
October	6,979	8,758	6,575	10,804	9,364
November	6,114	7,933	6,095	10,607	9,525
December	6,603	7,282	7,023	11,069	10,769
<b>Totals</b>	86,624	86,035	86,117	108,826	121,507

## Water Conservation Plan

In addition to the utility profile, please attach the following as required by Title 30, Texas Administrative Code, §288.2. Note: If the water conservation plan does not provide information for each requirement, an explanation must be included as to why the requirement is not applicable.

### A. *Record Management System*

The water conservation plan must include a record management system which allows for the classification of water sales and uses in to the most detailed level of water use data currently available to it, including if possible, the following sectors: residential (single and multi-family), commercial.

### B. *Specific, Quantified 5 & 10-Year Targets*

The water conservation plan must include specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in gallons per capita per day. Note that the goals established by a public water supplier under this subparagraph are not enforceable. These goals must be updated during the five-year review and submittal.

### C. *Measuring and Accounting for Diversions*

The water conservation plan must include a statement about the water suppliers metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply.

### D. *Universal Metering*

The water conservation plan must include and a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement.

### E. *Measures to Determine and Control Water Loss*

The water conservation plan must include measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.).

### F. *Continuing Public Education & Information*

The water conservation plan must include a description of the program of continuing public education and information regarding water conservation by the water supplier.

### G. *Non-Promotional Water Rate Structure*

The water supplier must have a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water. This rate structure must be listed in the water conservation plan.

### H. *Reservoir Systems Operations Plan*

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies.

*I. Enforcement Procedure and Plan Adoption*

The water conservation plan must include a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan.

*J. Coordination with the Regional Water Planning Group(s)*

The water conservation plan must include documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

*K. Plan Review and Update*

A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

## **VI. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS**

Required of suppliers serving population of 5,000 or more or a projected population of 5,000 or more within the next ten years:

*A. Leak Detection and Repair*

The plan must include a description of the program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted for uses of water.

*B. Contract Requirements*

A requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

## **VII. ADDITIONAL CONSERVATION STRATEGIES**

Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements of 30 TAC §288.2(1), if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;
2. Adoption of ordinances, plumbing codes, and/or rules requiring water conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;
3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;
4. A program for reuse and/or recycling of wastewater and/or graywater;
5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;
6. A program and/or ordinance(s) for landscape water management;
7. A method for monitoring the effectiveness and efficiency of the water conservation plan; and
8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

#### **VIII. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER**

Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
2. evaluates conservation as an alternative to the proposed appropriation; and
3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.



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<b>NEW UTILITY ACCOUNT DEPOSIT AND FEES</b>					
Utility Deposit (lessees)					\$350.00
Utility Deposit (property owners/businesses)					\$200.00
Utility Application Fee					\$ 35.00
Disconnect/Reconnect Fee					\$ 45.00
Meter Tampering Fee					\$100.00
Meter Lock Replacement Fee					Cost
<b>WATER RATES</b>					
<b>RESIDENTIAL – IN CITY</b>					
Residential – Single family units only					
<ul style="list-style-type: none"> <li>- Duplexes individually metered</li> <li>- Senior &amp; disabled accounts have different rates</li> <li>- Irrigation can be a separate account with exceptions</li> <li>- See *Additional Notes at end of Water section</li> </ul>					
	<b>Range</b>	<b>Base Rate</b>	<b>\$/1000 gal.</b>		
5/8" - 3/4" meter	0 – 1,000	\$ 21.00			
	>1,001		\$ 3.65		
1" meter	0 – 1,000	\$ 45.00			
	>1,001		\$ 3.65		
<b>COMMERCIAL – IN CITY</b>					
Commercial – Banks, real estate					
<ul style="list-style-type: none"> <li>- Light industrial, grocery stores</li> <li>- Restaurants, retail, offices</li> <li>- Hospitals</li> <li>- See *Additional Notes at end of Water Section</li> </ul>					
<b>Range</b>	<b>Base Rate</b>	<b>\$/1,000 gal.</b>	<b>Major Maint. @ \$0.52/1,000 gals.</b>	<b>Dep. @ \$0.45/1,000 gals.</b>	<b>Total per 1,000 gals.</b>
0 – 5,000	\$ 30.00				
5,001 – 15,000		\$ 7.50	\$ 0.52	\$ 0.45	\$ 8.47
15,001 – 30,000		\$ 8.00	\$ 0.52	\$ 0.45	\$ 8.97
>30,000		\$ 8.75	\$ 0.52	\$ 0.45	\$ 9.72
<b>MULTI-FAMILY – IN CITY</b>					
Multi-Family – Duplex, Quadplex					
<ul style="list-style-type: none"> <li>- Tax credit housing</li> <li>- Apartments, independent living</li> <li>- Nursing facilities</li> <li>- See *Additional Notes at end of Water Section</li> </ul>					
<b>Range</b>	<b>Base Rate</b>	<b>\$/1,000 gal.</b>	<b>Major Maint. @ \$0.52/1,000 gals.</b>	<b>Dep. @ \$0.45/1,000 gals.</b>	<b>Total per 1,000 gals.</b>
0 – 5,000	\$ 30.00				
5,001 – 15,000		\$ 7.50	\$ 0.52	\$ 0.45	\$ 8.47
15,001 – 30,000		\$ 8.00	\$ 0.52	\$ 0.45	\$ 8.97
>30,000		\$ 8.75	\$ 0.52	\$ 0.45	\$ 9.72

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**IRRIGATION – IN CITY**

Irrigation – includes both residential, commercial and multi-family accounts  
 - Separate irrigation accounts are not eligible for the residential – senior/disabled accounts. Effective 3/1/2018  
 - See \*Additional Notes at end of Water Section

Range	Base Rate	\$/1,000 gal.	Major Maint. @ \$0.52/1,000 gals.	Dep. @ \$0.45/1,000 gals.	Total per 1,000 gals.
0 – 2,000	\$ 16.00				
2,001 – 4,000		\$ 6.00	\$ 0.52	\$ 0.45	\$ 6.97
4,001 – 7,000		\$ 6.50	\$ 0.52	\$ 0.45	\$ 7.47
7,001 – 10,000		\$ 7.00	\$ 0.52	\$ 0.45	\$ 7.97
10,001 – 20,000		\$ 7.50	\$ 0.52	\$ 0.45	\$ 8.47
20,001 – 30,000		\$ 8.00	\$ 0.52	\$ 0.45	\$ 8.97
>30,001		\$ 8.75	\$ 0.52	\$ 0.45	\$ 9.72

**IRRIGATION – INSTITUTIONAL / TAX-EXEMPT / NON-PROFIT AND/OR INSTITUTIONAL / TAX-EXEMPT / NON-PROFIT**

Institutional/Tax-Exempt/Non-Profit  
 - Schools, churches that are individually metered  
 - County, City, Federal and State facilities that are individually metered  
 - Parks  
 1. Tax-Exempt & non-profit entity must submit proof of exemption as established by IRS.  
 2. Account must in entity's name.  
 3. Accounts shall be reviewed annually to ensure monthly usage conforms with the range that is used to establish the Base Rate.  
 4. A 1.5 multiplier is applied to the then current Major Maintenance Fee.  
 5. A 1.5 multiplier is applied to the then current Depreciation Fee.  
 6. See \*Additional Notes at end of Water Section.

Range	Base Rate	\$/1,000 gal.	Major Maint. @ \$0.78/1,000 gals.	Dep. @ \$0.67/1,000 gals.	Total per 1,000 gals.
0 – 5,000	\$ 52.50				
5,001-10,000	\$ 52.50	\$ 9.75	\$ 0.78	\$ 0.67	\$ 11.20
10,001 – 40,000	\$ 120.00	\$ 11.25	\$ 0.78	\$ 0.67	\$ 12.70
40,001 – 75,000	\$ 480.00	\$ 13.13	\$ 0.78	\$ 0.67	\$ 14.58
>75,000	\$ 888.00	\$ 13.50	\$ 0.78	\$ 0.67	\$ 14.95

**RESIDENTIAL – OUT OF CITY**

Residential – Single family units only  
 - Duplexes individually metered  
 - Senior & disabled accounts have different rates  
 - Irrigation can be a separate account with exceptions  
 - See \*Additional Notes at end of Water Section

Size Meter	Range	Base Rate	\$/1,000 gal.
5/8" – 3/4" Meter	0 – 1,000	\$ 40.00	
	>1,001		\$ 5.55
1" Meter	0 – 1,000	\$ 63.00	
	>1,001		\$ 5.55

\*Additional Notes:  
 1. The Base Rates and the Rate Per 1,000 gallons shall be reviewed and are subject to change annually.  
 2. All accounts are subject to any "Pass-Through Fees"

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3. A Major Maintenance Fee of \$0.52 per 1,000 gallons is added to each account based on the total volume consumed. This fee is subject to change annually. 2018 - \$0.52/1,000 gal.; 2019 - \$1.04/1,000 gal.; 2020 - \$1.55/1,000 gal.
4. A System Depreciation Fee of \$0.45 per 1,000 gallons is added to each account based on the total volume consumed. This fee is subject to change annually. 2018 - \$0.45/1,000 gal.; 2019 - \$0.90/1,000 gal.; 2020 - \$1.35/1,000 gal.
5. Out of City Accounts (Commercial & Multi-Family) are charged the In-City Rate including the Major Maintenance and Depreciation Fees, then multiplied by 1.5 to obtain the total invoiced amount.

**PASS THROUGH FEES**

San Jacinto River Authority	\$ 2.75 per 1,000 gallons
Lone Star Groundwater Conservation District	\$0.165 per 1,000 gallons

**WASTEWATER**

**RESIDENTIAL – IN CITY AND OUT OF CITY**

- Residential – Single Family Units Only
- Duplexes individually metered
  - Wastewater flow is based on metered water volume
  - See \*Additional Notes at end of Wastewater Section

Range	Base Rate	\$1,000 gal.
0 – 1,000	\$ 9.95	
>1,000		\$ 3.00

**COMMERCIAL – IN CITY**

- Commercial – Banks, real estate
- Light industrial, grocery stores
  - Restaurants, retail, offices
  - Hospitals
  - Wastewater flow is based on metered water volume
  - See \*\*Additional Notes at end of Wastewater Section

Range	Base Rate	\$/1,000 gal.	Major Maint. @ \$0.33/1,000 gals.	Dep. @ \$0.45/1,000 gals.	Total per 1,000 gals.
0 – 5,000	\$ 25.00				
5,001 – 15,000		\$ 5.50	\$ 0.33	\$ 0.45	\$ 6.28
15,001 – 30,000		\$ 6.00	\$ 0.33	\$ 0.45	\$ 6.75
>30,000		\$ 6.50	\$ 0.33	\$ 0.45	\$ 7.28

**MULTI-FAMILY – IN CITY**

- Multi-Family – Duplex, Quadplex
- Tax credit housing
  - Apartments, independent living
  - Nursing facilities
  - Wastewater flow is based on metered water volume
  - See \*\*Additional Notes at end of Wastewater Section

Range	Base Rate	\$/1,000 gal.	Major Maint. @ \$0.33/1,000 gals.	Dep. @ \$0.45/1,000 gals.	Total per 1,000 gals.
0 – 5,000	\$ 25.00				
5,001 – 15,000		\$ 5.50	\$ 0.33	\$ 0.45	\$ 6.28
15,001 – 30,000		\$ 6.00	\$ 0.33	\$ 0.45	\$ 6.75
>30,000		\$ 6.50	\$ 0.33	\$ 0.45	\$ 7.28

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<b>INSTITUTIONAL / TAX-EXEMPT / NON-PROFIT</b>					
Institutional / Tax-Exempt / Non-Profit					
<ul style="list-style-type: none"> <li>- Schools, churches that are individually metered</li> <li>- County, city, federal and state facilities</li> <li>- Parks</li> </ul>					
<ol style="list-style-type: none"> <li>1. Tax-exempt &amp; non-profit entity must submit proof of exemption as established by IRS</li> <li>2. Account must be in entity's name</li> <li>3. A 1.5 multiplier is applied to the then current Major Maintenance Fee</li> <li>4. A 1.5 multiplier is applied to the then current Depreciation Fee</li> <li>5. See <b>**Additional Notes</b> at end of Wastewater Section</li> </ol>					
Range	Base Rate	\$/1,000 gal.	Major Maint. @ \$0.50/1,000 gals.	Dep. @ \$0.67/1,000 gals.	Total per 1,000 gals.
0 – 5,000	\$ 42.50				
5,001 – 10,000	\$ 42.50	\$ 7.90	\$ 0.50	\$ 0.67	\$ 9.07
10,001 – 40,000	\$ 75.00	\$ 8.25	\$ 0.50	\$ 0.67	\$ 9.42
40,001 – 75,000	\$ 375.00	\$ 9.00	\$ 0.50	\$ 0.67	\$ 10.17
>75,000	\$ 562.50	\$ 10.88	\$ 0.50	\$ 0.67	\$ 12.05
<b>**Additional Notes:</b>					
<ol style="list-style-type: none"> <li>1. The Base Rate and the Rate Per 1,000 gallons shall be reviewed and subject to change annually.</li> <li>2. A Major Maintenance Fee of \$0.33 per 1,000 gallons is added to the total volume consumed. This fee is subject to change annually. 2018 - \$0.33/1,000 gal.; 2019 - \$0.66/1,000 gal.; 2020 - \$0.95/1,000 gal.</li> <li>3. A System Depreciation Fee of \$0.45/1,000 gallons is added to the total volume consumed. This fee is subject to change annually. 2018 - \$0.45/1,000 gal.; 2019 - \$0.90/1,000 gal.; 2020 - \$1.35/1,000 gal.</li> <li>4. Out of City Accounts (Commercial and Multi-Family) are charged the In-City Rate including the Major Maintenance and Depreciation Fees, then multiplied by 1.5 to obtain the total invoiced amount.</li> </ol>					
<b>RESIDENTIAL WASTEWATER RATES WITH NO WATER SERVICE</b>					
Flat rate of \$30.00 a month based on an average consumption of 5,000 gallons.					
<b>COMMERCIAL WASTEWATER RATES WITH NO WATER SERVICE AND METERED FLOW</b>					
\$6.00 per thousand gallons of metered flow					
<b>GREASE TRAP INSPECTION RATE FEE</b>					
Each grease trap - \$30.00 per month					
<b>SENIOR/DISABLED WATER AND SEWER RATES</b>					
<b>WATER RATES</b>					
<b>RESIDENTIAL – SENIOR/DISABLED IN-CITY</b>					
Residential – Senior/Disabled					
<ul style="list-style-type: none"> <li>- Age 65 &amp; over</li> <li>- 70% or greater disability</li> <li>- See <b>***Additional Notes</b> at end of Senior/Disabled Rates Section</li> </ul>					
	Range	Base Rate	\$/1,000 gal.		
5/8" – 3/4" Meter	0 – 1,000	\$ 19.00			
	>1,001		\$ 3.65		

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1" Meter	0 – 1,000	\$ 43.00	
	>1,001		\$ 3.65

**WASTEWATER RATES**

**RESIDENTIAL – SENIOR/DISABLED IN-CITY**

Residential – Senior/Disabled

- Age 65 & over
- 70% or greater disability
- See \*\*\*Additional Notes at end of Senior/Disabled Rates Section

Range	Base Rate	\$/1,000 gal.
0 – 1,000	\$ 9.95	
>1,001		\$ 3.00

**SENIOR/DISABLED SOLID WASTE RATE**

Residential – Senior/Disabled rate	\$ 18.08
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**\*\*\*Additional Notes:**

1. The Senior/Disabled exemption is only available for In-City accounts.
2. The Senior/Disabled accounts are ineligible for a separate irrigation account.
3. The account must be in the applicant's name who qualifies for the Senior/Disabled exemption.
4. Seniors must be a minimum of 65 years old. The applicant must show proof of age via birth certificate, passport, or a State issued identification card.
5. To qualify for the Disabled discount, the applicant must demonstrate a minimum of a 70% disability and submit proof. Proof of disability is either documentation from the Veterans Administration or MCAD Form 50-135, if a veteran, or through Tax Code 11.13(c) and (d) and approved by the Montgomery County Appraisal District (MCAD) using Form 50-114.
6. Existing Senior Residential Irrigation Account (separately metered) is subject to termination if the irrigation account exceeds 7,000 gallons per month for three (3) consecutive months. If terminated, the account is converted to a regular irrigation account with notification.
7. The Senior/Disabled Residential account is subject to termination if the account exceeds 7,000 gallons per month for three (3) consecutive months. If terminated, the account is converted to a residential account with notification.
8. All accounts are subject to the "Pass Through Fees" which are charged at the rate established in this Fee Schedule.

**TAP FEES**

The following tap fees shall be collected as applicable from the applicant before the connection is made:

Water taps (Standard)		Wastewater taps (Standard)	
1" -	\$ 775.00	4" -	\$ 925.00
1.5 " -	\$1,250.00	6" -	\$1,200.00
2" -	\$2,500.00		

Additional requirements which may be determined to be needed by the City Engineer or the City's contract services which would exceed the cost for a standard 4" or 6" wastewater tap will be charged to the customer.

**METER FEES**

Cost + 5%

**IMPACT FEES:**

Each new connection to the City's water and/or wastewater system will be required to pay the appropriate impact fees as established by the City Council before construction begins.

**Water - \$1,500.00      Wastewater - \$3,000.00**

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**City of Magnolia Fee Schedule**

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<b>SOLID WASTE SERVICES</b>	
Residential Rate:	\$20.08
<b>PLAT FEES</b>	
<b>Escrow Fee: \$3,000</b>	
<b>PRELIMINARY PLAT:</b> with no transportation improvement analysis or public improvements	Fee does not include Civil Construction permits or building permits
Rezoning: all designations except Planned Development ("PD")	Fee includes publication
<b>Escrow Fee: \$1,500</b>	
Rezoning: All designations except Planned Development	Fee includes publication
Site Permit	Site preparation to shape the site for development
Site Plan: <9.99 acres	
<b>Escrow Fee: \$4,000</b>	
Site Plan: >10 - 19.99 acres	
<b>Escrow Fee: \$5,000</b>	
<b>FINAL PLAT:</b>	Fee does not include Montgomery County recordation
Minor amending final plat and final vacation plat	Fee does not include Montgomery County recordation
Preliminary Plat	Fee does not include Civil Construction application materials or building permits
Site Plan: 20 or more acres	
<b>Escrow Fee: \$2,000</b>	
Conditional Use Permit	Fee applicable only when Drainage Plan submitted separately without Civil Construction application materials
Drainage Plan	
Final Plat: Minor amending Final Plat and Final Vacation Plat	Fee does not include Montgomery County recordation
Land Clearing Permit	Tree inventory, removal, mitigation, and erosion control
Text Amendment (UDC)	
Variance	Applies to any Variance application
<b>Escrow Fee: \$1,000</b>	
Administrative Appeal	
City Council Appeal	
<b>Miscellaneous</b>	
Annexation	No charge
Building Permit	In accordance with currently adopted IBC and ICC building valuation data
Certificate of Occupancy	\$100
Right-of-Way Encroachment Permit	\$100
Sign Permit	Price depends upon sign type as defined on Sign Permit Application

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City of Magnolia Fee Schedule**

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Tree Removal Permit	\$50 + \$10/protected tree
<b>A DOUBLE FEE WILL BE CHARGED FOR ANY WORK STARTED AND/OR COMPLETED PRIOR TO THE ISSUANCE OF THE APPROPRIATE PERMIT(S)</b>	
<b>BUILDING PERMIT FEES</b>	
<i>(in accordance with currently adopted IBC and ICC Building Valuation Data attached)</i>	
<b>All building permits valued over \$1,000 are subject to a plan review fee that is one-half (1/2) the cost of the Building Permit.</b>	
<b>All permits are subject to a \$25.00 Administrative Fee</b>	
<b>ELECTRICAL PERMIT FEES</b>	
<b>ADMINISTRATIVE FEE (on all permits): \$25.00</b>	
<b>METER LOOP INFORMATION</b> <i>(includes meter loop)</i>	Service up to and including Over 400 ampere \$60.00
(SIGNS) 100 ampere \$35.00	
125 ampere \$35.00	Subpanels with 2 or more circuits \$ 7.50 each
200 ampere \$45.00	Panel with 9 or more circuits \$ 7.50 each
400 ampere \$50.00	
All Outlets \$ .30	<b>Motors:</b>
Light Fixtures \$ .30	Up to ¼ HP \$ 2.00
<b>Electrical Appliances:</b>	Over ¾ HP to 10 HP \$ 7.50
Range receptacle \$ 2.50	Plus per HP \$ .35 each
Clothes dryer \$ 2.50	<b>Transformers:</b>
Cooking tops \$ 2.50	Up to 1kva \$10.00
Ovens \$ 2.50	Over 1kva to 10 kva \$15.00
Garbage Disposals \$ 2.00	Over 10 kva \$20.00
Dishwashers \$ 2.00	Plus per kva \$ 2.00
Window A/C \$ 5.00	<b>Miscellaneous:</b>
Central A/C \$10.00	Motion picture machines \$ 7.50
Electrical heat to 1kw \$ 5.00	Commercial sound equipment \$ 5.00
Over 1kw thru 10kw \$ 8.00	
Over 10kw \$ 9.00	Ballpark- & Parking lot light poles \$25.00
Plus, per kw \$ .50	Pole with guy wire \$ 7.50
<b>TEMPORARY INSTALLATIONS:</b>	<b>Electric water heater:</b>
Installations such as wood saws, floor surfacing machines, paint-spraying apparatus shall be charged per installation \$15.00	Not exceeding 1500 watts \$10.00
	Over 1500 watts \$15.00
	Plus per 1,000 watts \$ 1.50
Temporary lighting installations \$15.00	Incandescent electric signs & Incandescent gas or vacuum tube signs per KVA \$ 5.00
Temporary lighting installations, such as carnivals, or similar installations for amusement, show, display or similar uses, shall be charged as:	Sign installation inspection per kva \$ 7.50
10 kva \$20.00	Streamers and festoon lighting, per circuit \$ 2.00
Over 10 kva \$ 1.00	Permanently connected electrical appliances &

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City of Magnolia Fee Schedule**

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Temporary saw pole (Good for only 90 days)	\$25.00	equipment of any nature not otherwise specified shall be charged as: 5 kw	\$ 2.00
Temporary cut-in <u>MANDATORY</u>	\$25.00		
<b>SLAB INSPECTIONS:</b>		Partial cover-up	\$35.00
SLAB INSPECTION	\$35.00	Commercial ditch cover-up up to 100 feet	\$35.00
Additional Slab Inspection	\$35.00		
Re-inspection fee	\$35.00		
Reconnection fee	\$20.00		
Commercial Appliances	\$ 7.50 each		
Electric welders	\$ 7.50		
<b>HVAC PERMIT FEES</b>			
<b>ADMINISTRATIVE FEE (on all permits):</b>			<b>\$25.00</b>
Plus \$7.50 per ton		Duct distribution only	\$25.00
<b>RE-INSPECTION FEE</b>			
<b>SHOULD THE BUILDING INSPECTOR BE ASKED BY THE PERMIT HOLDER TO RE-INSPECT THE WORK, AND UPON ATTEMPTING TO RE-INSPECT FINDS THAT THE WORK IS NOT READY FOR RE-INSPECTION, THERE SHALL BE AN ADDITIONAL \$35.00 RE-INSPECTION FEE CHARGED.</b>			
<b>MANUFACTURED HOUSING PERMIT FEES</b>			
Permit fee: \$250.00 PLUS Plan Review Fee: \$125.00 = \$375.00			
<b>PLUMBING PERMIT FEES</b>			
<b>ADMINISTRATIVE FEE (on all permits):</b>			<b>\$25.00</b>
Re-Inspection	\$ 35.00	Gas Opening	\$ 12.50 each
Plumbing Fixtures	\$ 3.50 each	Gas	\$ 25.00
Sprinkler System	\$ 35.00	Sewer Connection	\$ 25.00
Irrigation System	\$ 35.00	Grease Trap	\$ 25.00
Stand Pipe	\$ 25.00	Backflow Preventers	\$ 20.00
Water Heaters	\$ 10.00 each	Com. Water Tap	ASK
Wall Heaters	\$ 12.00	Residential Water Tap	ASK
		Commercial Sewer Tap	ASK
		Residential Sewer Tap	ASK
		Impact Fee – Sewer	ASK
<b>SIGN PERMIT FEES</b>			
<b>INITIAL AND ANNUAL OPERATING FEES:</b>			
Suspended sign:	\$ 25.00	+ inspection fee for electrical signs - \$35.00 each	
Wall sign <160 sq. ft.	\$ 35.00	+ inspection fee for non-electrical signs - \$10.00 each	
Wall sign >160 sq. ft.	\$ 50.00		
Ground sign <160 sq. ft.	\$ 50.00		

**EXHIBIT A-1**  
**City of Magnolia Fee Schedule**

Amended September 11, 2018

Ground sign >160 sq. ft.	\$ 75.00	
Multi-Tenant Sign:	\$100.00	
Annual permit fee	\$ 25.00	
<b>BANNER DISPLAY FEES</b>		
\$25.00 per location (\$50.00 if using both TxDot Magnolia locations)		
<b>PERMIT TO MOVE SUPER HEAVY OR OVERSIZE EQUIPMENT OR LOAD OVER CITY STREETS, ROADS AND HIGHWAYS</b>		
Fee:	\$15.00/Year	
<b>FEE FOR THE MOVING OF BUILDINGS OR OTHER STRUCTURES</b>		
Fee:	\$35.00	
<b>COMMUNICATION TOWER PERMIT FEES</b>		
Administrative fee:	\$ 35.00	
Towers having height of 100 ft. or less	\$100.00	
Towers having height of more than 100 ft. but not exceeding 150 ft.	\$225.00	
Towers having a height in excess of 150 ft.	\$350.00	
<b>SOLICITOR PERMIT FEES</b>		
Processing fee	\$30.00 + \$5.00 per day + \$10.00 for each individual solicitor	
<b>MOBILE FOOD VENDOR FEES</b>		
Permit fee (administrative fee)	\$30.00	
Daily	\$ 5.00 per day	
Monthly permit fee	\$25.00	
Six Month Permit fee	\$60.00	
<b>RED LIGHT CAMERA LATE PAYMENT PENALTY FEE</b>		
Late payment fee	\$25.00	
<b>TOW TRUCK FEE</b>		
Tow Truck fee	\$100.00	
I.D. card for wrecker driver	\$ 15.00	
<b>UNITY PARK – RESERVATION DEPOSIT &amp; FEES</b>		
<b>DEPOSIT:</b>		
Deposit for half day rental ( <i>4 hr. minimum</i> )		\$250.00
Deposit for full day rental		\$500.00

**EXHIBIT A-1**  
**City of Magnolia Fee Schedule**

Amended September 11, 2018

<b>**START/FINISH TIME MUST INCLUDE SET UP, BREAK DOWN AND CLEAN UP**</b>				
<b>NON-PROFIT RATES: ORGANIZATIONS MUST SUPPLY PROOF OF IRS NON-PROFIT STATUS</b>				
<b>NON-MAGNOLIA RESIDENTS ADD AN ADDITIONAL \$20.00</b>	<b>Half day</b>	<b>Non-profit</b>	<b>Full day</b>	<b>Non-profit</b>
Pavilion only	\$ 200.00	\$ 100.00	\$ 400.00	\$ 200.00
One-half area of Pavilion	\$ 100.00	\$ 50.00	\$ 200.00	\$ 100.00
Pavilion w/serving area	\$ 300.00	\$ 150.00	\$ 500.00	\$ 250.00
Pavilion w/serving area & amphitheater	\$ 375.00	\$ 187.50	\$ 650.00	\$ 325.00
Amphitheater only	\$ 75.00	\$ 37.50	\$ 150.00	\$ 75.00
Entire park	\$ 750.00	\$ 375.00	\$1500.00	\$ 750.00
Cook-off grounds – ( <i>\$100 extra per day for set-up/break down days</i> )	N/A	N/A	\$ 200.00	\$ 100.00
<b>RESERVATION CANCELLATION:</b> <i>One-half of the deposit will be forfeited if a reservation is cancelled before the 10<sup>th</sup> day preceding the reserved date. If the reservation is cancelled on or after the 10<sup>th</sup> day preceding the reserved date, the entire deposit will be forfeited.</i>				
<b>EARLY STARTS / LATE DEPARTURES:</b> <i>Early starts - \$50/hour; Late departure – Labor + 25% Administrative fee</i>				
<b>RETURNED CHECK FEE</b>				
All returned checks will be charged a \$35.00 fee.				
<b>CREDIT CARD CONVENIENCE FEE</b>				
All credit card transactions will be charged a 3.5% convenience fee.				
<b>COPYING FEE</b>				
All copies will be charged a fee of \$.10 per page and up.				
<b>ALARM PERMIT FEE</b>				
The nonrefundable application fee for an alarm permit, an annual permit renewal, or a permit reinstatement is:	\$5.00 annual renewal fee the first of each calendar year			
(a) for nonresidential areas of an apartment complex equipped with a burglar alarm, hold-up, panic, or duress alarm system; and	\$50			
(b) for commercial alarm sites equipped with a burglar alarm, hold-up, or panic alarm system.	\$50			
<b>VEHICLES FOR HIRE</b>				
Taxicab Business Permit	\$50.00 per cab annually			
City Chauffeur's License	\$10.00 fingerprinting charge			
<b>DANGEROUS DOG PERMIT</b>				
Dangerous Dog Permit	\$35.00 annually			

**EXHIBIT A-1**  
**City of Magnolia Fee Schedule**

Amended September 11, 2018

FINAL REVIEW

**APPENDIX D**  
**TRANSMITTAL LETTER TO REGIONAL WATER PLANNING GROUP-**  
**REGION H**

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April 3, 2019

San Jacinto River Authority  
P.O. Box 329  
Conroe, Texas, 77305

Re: Water Conservation Plan  
City of Magnolia  
Strand Project No. 3919.113

To Whom It May Concern,

Transmitted herein on the City's behalf is one (1) copy of the Water Conservation Plan for the City of Magnolia.

Sincerely,

Hollie Schrader, E.I.T.

cc + Enclosures: Lynne George, City of Magnolia



## Appendix E

	Unit	2029	2039
Projected Connections		10,444	19,072
Average Pumpage Per Connection	gpd	360	360
Average Pumpage	mgd	3.760	6.866
	gpm	2,611	4,786
Maximum Day to Average Day Ratio		2.4	2.4
Maximum Day Pumpage	mgd	9.024	16.478
	gpm	6,266	11,433
Maximum Hour to Maximum Day Ratio		1.25	1.25
Maximum Hourly Pumpage	mgd	11.280	20.598
	gpm	7,833	14,304

**Table 3.04-1 Projected Water Pumpage**

The City of Magnolia is currently in the process of master planning and significant growth is anticipated throughout the service area.

EXHIBIT C

Report for  
**City of Magnolia, Texas**

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Drought Contingency Plan

Prepared by:

STRAND ASSOCIATES, INC.®  
1906 Niebuhr Street  
Brenham, TX 77833  
[www.strand.com](http://www.strand.com)

April 2019



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The City of Magnolia, Texas (City) recognizes its fundamental responsibility to provide an adequate supply of safe drinking water for residents and businesses within its City limits. Because drinking water is a precious natural resource, careful planning is needed to ensure water suppliers are protected from contamination, are distributed effectively and efficiently to end users, and procedures are in place to monitor consumption and avoid waste.

Water conservation and consumption planning are integral elements for ensuring that the water supplies are not exhausted. To further this goal, the City Council has adopted this plan in 2009, through the passage of Ordinance # 2009-156. This 2019 Plan is an updated version of the existing ordinance. This ordinance establishes the City's policies for promoting water conservation and emergency planning, and provides the vision, resources, and overall methodologies for establishing an effective program.

This plan addresses the following elements:

- A. The need for and goals of the City's water conservation program.
- B. Methods to reduce water consumption.
- C. Methods to reduce loss or waste of water.
- D. Methods to improve efficient water use.
- E. Methods to increase recycling and reuse of water.

## GENERAL

The City is located in the southern part of Montgomery County, Texas. It was incorporated in 1968. The City 2010 census population was 1,393 inhabitants.

The City's water system in 2019 consists of three water wells for water supply, two ground storage tanks (GST) and two elevated storage tanks (EST) for water storage and delivery pressure, six high service (booster) pumps, chlorination facilities for water disinfection, and distribution lines to transport the water to the customers ranging from 2- to 16-inch in size. The wells, storage facilities, and pumping facilities are located at two separate water plants. All of the water wells are completed in the Evangeline aquifer. Sands screened by the wells are at a depth of approximately 500 to 770 feet, varying in each well. Water treatment consists of chlorination for disinfection and injection of polyphosphate to sequester iron naturally occurring in the water. Distribution system pressure is approximately 50 to 70 pounds per square inch (psi).

The City in 2019 serves 1,274 customer accounts. Based on 2018 pumpage, the estimate number of residential equivalent connections is 1,646. Approximately 1,026 single family residences (residential inside, residential outside, and senior) are served. Major commercial water users include schools, clinics, a number of restaurants and motels, and retail establishments. Annual water use in 2017 and 2018 was 216.3 (million gallons per day) mgd and 195.4 mgd, respectively. Average daily water use during this period was 0.6 mgd, and the peak day use was 1.4 mgd.

The following production, or capacity, applies to the year 2019:

The production (pumping) rate from all three wells combined is approximately 1,570 (gallon per minute) gpm. One well at Plant No. 1 produces approximately 250 gpm, a second well at Plant No. 1 produces approximately 320 gpm, and Well No. 6 at Plant No. 2 produces approximately 1,000 gpm. The Texas Commission on Environmental Quality (TCEQ) minimum water supply capacity requirement is 0.6 gpm per connection; therefore for the 1,646 equivalent connections, a minimum water supply (well production) of 988 gpm is required. The current City's cumulative pump rate exceeds this requirement.

The system has a total of 412,000 gallons of ground storage and 400,000 gallons of elevated storage. The TCEQ minimum storage capacity requirement is 200 gallons per connection total storage and 100 gallons per connection elevated storage; therefore, for the 1,646 equivalent connections, a minimum of 329,200 gallons total storage is required, and a minimum of 164,600 gallons elevated storage is required. Both requirements are met by the City's existing facilities.

The system has a total rated booster pump capacity of 4,895 gpm with the capacity of the largest pump being 1,000 gpm. The TCEQ minimum booster pump capacity requirement is two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service (firm capacity), whichever is less, at each pump station or pressure plane. The TCEQ defines peak hourly demand in the absence of verified historical data as 1.25 times the maximum daily demand (prorated to an hourly rate) if a public water supply meets the commission's minimum requirements for elevated storage capacity. For the entire system the TCEQ minimum required capacity is 1,235 gpm (peak-hour). The firm booster pump capacity in the upper pressure plane is 2,000 gpm and can be transferred to the lower pressure plane through pressure reducing valves. The requirements are met by the existing facilities.

### **DECLARATION OF POLICY, PURPOSE, AND INTENT**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Magnolia hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be nonessential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water (which subjects the offender(s) to penalties as defined in Section titled Criteria for Initiation and Termination of Drought Response Stages of this Plan).

### **PUBLIC INVOLVEMENT**

Opportunity for the public to provide input into the preparation of the Plan was provided by the City by means of Public Notice and Public Hearings.

### **PUBLIC EDUCATION**

The City will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated as well as the drought response measures to be implemented in each stage. This information will be provided by distribution of educational materials to customers including but not limited to water-saving materials furnished by the Texas Water Development Board (TWDB) and the American Water Works Association (AWWA) issued to all customers. Distribution of these materials may be made on a semi-annual basis and will be timed to correspond with the peak summer and winter demand periods.

## COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the City is located within Region H and the City has provided a copy of this Plan to Region H.

## AUTHORIZATION

The Mayor, or his/her designee, is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such Implementation is necessary to protect public health, safety, and welfare. The Mayor, or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

## APPLICATION

The provisions of this Plan shall apply to all persons, customers, and property using water provided by the City. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## DEFINITIONS

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use—Water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use—Water use that is integral to the operations of commercial and non-profit establishments, and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation—Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that supply is conserved and made available for future or alternative uses.

Customer—Any person, company, or organization using water supplied by the City.

Domestic water use—Water use for personal needs or for household or sanitary purposes, such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address—Street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use—The use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use—Water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Nonessential water use—Water uses that are not essential nor required for the protection of public, health, safety, and welfare, including the following:

- A. Irrigation of landscape areas including parks, athletic fields, and golf courses, except otherwise provided under this Plan.
- B. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle.
- C. Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
- D. Use of water to wash down buildings or structures for purposes other than immediate fire protection.
- E. Flushing gutters or permitting water to run or accumulate in any gutter or street.
- F. Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools.
- G. Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life.
- H. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- I. Use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address—Street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

**CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES**

The Mayor, or his/her designee, shall monitor water supply or demand conditions on a regular basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described in the following are based on water use (demand).

- A. Use of alternative water sources or alternative delivery mechanisms

There are no alternative water source(s) for the City.

- B. Stage 1 Triggers—Mild Water Shortage Conditions

- 1. Requirements for initiation—Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses (defined in the section titled Definitions) when the daily water usage exceeds 50 percent of the then combined current pumping capacity for five consecutive days.
- 2. Requirements for termination—Stage 1 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of fourteen consecutive days.

or when in the opinion of the Mayor/designee the risk to the public water supply necessitates implementation of the various stages. This opinion may be based on pressures available in the system and not just capacity.

or when in the opinion of the Mayor/designee the risk to the public water supply is appropriately reduced.

C. Stage 2 Triggers—Moderate Water Shortage Conditions

1. Requirements for initiation—Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in the section title Drought Response Stages of this Plan when the daily water usage exceeds 60 percent of the then combined current pumping capacity for five consecutive days.
2. Requirements for termination—Stage 2 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of fourteen consecutive days. Upon termination of Stage 2, Stage 1 (or the applicable drought response stage based on the triggering criteria) becomes operative.

D. Stage 3 Triggers—Severe Water Shortage Conditions

or when in the opinion of the Mayor/designee the risk to the public water supply is appropriately reduced.

1. Requirements for initiation—Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 3 of this Plan when the daily water usage exceeds 70 percent of the then combined current pumping capacity for five consecutive days.
2. Requirements for termination—Stage 3 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of fourteen consecutive days. Upon termination of Stage 3, Stage 2 (or the applicable drought response stage based on the triggering criteria) becomes operative.

E. Stage 4 Triggers—Critical Water Shortage Conditions

or when in the opinion of the Mayor/designee the risk to the public water supply is appropriately reduced.

1. Requirements for initiation—Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when 80 percent of the then combined current pumping capacity for five consecutive days.
2. Requirements for termination—Stage 4 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of fourteen consecutive days. Upon termination of Stage 4, Stage 3 (or the applicable drought response stage based on the triggering criteria) becomes operative.

F. Stage 5 Triggers—EMERGENCY Water Shortage Conditions

or when in the opinion of the Mayor/designee the risk to the public water supply is appropriately reduced.

1. Requirements for initiation—Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the daily water usage exceeds 90 percent of the pumping capacity for five consecutive days, or the Mayor (or his/her designee) determines that a water supply emergency exists based on the following:
  - a. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service.
  - b. Natural or man-made contamination of the water supply source(s).

2. Requirements for termination—Stage 5 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of fourteen consecutive days.

← or when in the opinion of the Mayor/designee the risk to the public water supply is appropriately reduced.

G. Stage 6 Triggers—Water Allocation

1. Requirements for initiation—Customers shall be required to comply with the water allocation plan prescribed in the section titled Drought Response Stages of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when the daily water usage exceeds 95 percent of pumping capacity for five consecutive days or water system failures have created a condition that is an imminent threat to health, safety and welfare of the public.
2. Requirements for termination—Water allocation may be rescinded when all the conditions listed as triggering events have ceased to exist ~~for a period of consecutive days.~~

↑ and when in the opinion of the Mayor/designee the risk to the public water supply is appropriately reduced.

**DROUGHT RESPONSE STAGES**

The Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and (in accordance with the triggering criteria set forth in the section titled Criteria for Initiation and Termination of Drought Responses of this Plan) shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

A. Notification

1. Notification of the Public—The Mayor or his/her designee shall notify the public by means of one or all of the following:
  - a. Publication in a newspaper of general circulation.
  - b. Direct mail to each customer.
  - c. Public service announcements.
  - d. Signs posted in public places.
2. Additional Notification—The Mayor or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:
  - a. Members of the City Council and the Magnolia Volunteer Fire Chief
  - b. City Emergency Management Coordinator(s)
  - c. TCEQ (required when mandatory restrictions are imposed)
  - d. Critical water users, i.e. school

B. Stage 1 Response—Mild Water Shortage Conditions

1. Target—Achieve a voluntary 5 percent reduction in daily water demand.
2. Best Management Practices for Supply Management—The City will reduce water demand by discontinuing the flushing of water mains and reducing irrigation of public landscaped areas.

3. Voluntary Water Use Restrictions for Reducing Demand:
  - a. Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10 A.M. and 8 P.M. to midnight on designated watering days.
  - b. All operations of the City shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
  - c. Water customers are requested to practice water conservation and to minimize or discontinue water use for nonessential purposes.

C. Stage 2 Response--Moderate Water Shortage Conditions

1. Target--Achieve a 15 percent reduction in daily water demand.
2. Best Management Practices for Supply Management--The City will reduce water demand by discontinuing the flushing of water mains and reducing irrigation of public landscaped areas.
3. Water Use Restrictions for Demand Reduction--Under threat of penalty for violation, the following water use restrictions shall apply to all persons:
  - a. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6, or 8), Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7, or 9), and irrigation of landscaped areas is further limited to the hours of midnight until 10 A.M. and between 8 P.M. and midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet-filled bucket or watering can of 5 gallons or less, or drip irrigation system.
  - b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of midnight and 10 A.M. and between 8 P.M. and midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

- c. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of midnight and 10 A.M. and between 8 P.M. and midnight.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- e. Use of water from hydrants shall be limited to fire-fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except the use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City.
- f. Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours midnight and 10 A.M. and between 8 P.M. and midnight. However, if the golf course uses a water source other than that provided by the City, the facility shall not be subject to these regulations.
- g. All restaurants are prohibited from serving water to patrons except upon request of the patron.
- h. The following uses of water are defined as nonessential and are prohibited:
  - (1) Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
  - (2) Use of water to wash down buildings or structures for purposes other than immediate fire protection.
  - (3) Use of water for dust control.
  - (4) Flushing gutters or permitting water to run or accumulate in any gutter or street.
  - (5) Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

**D. Stage 3 Response—Severe Water Shortage Conditions**

- 1. Target—Achieve a 20 percent reduction in daily water demand.
- 2. Best Management Practices for Supply Management—The City will reduce water demand by discontinuing the flushing of water mains and reducing irrigation of public landscaped areas.
- 3. Water Use Restrictions for Demand Reduction—All requirements of Stage 2 shall remain in effect during Stage 3 except the following:
  - a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of midnight and 10 A.M. and between 8 P.M. and midnight and

shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.

- b. The watering of golf course tees is prohibited unless the golf course uses a water source other than that provided by the City.
- c. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

We might want to allow use under special permit.

E. Stage 4 Response—Critical Water Shortage Conditions

1. Target—Achieve a 25 percent reduction in daily water demand.
2. Best Management Practices for Supply Management—The City will reduce water demand by discontinuing the flushing of water mains and reducing irrigation of public landscaped areas under the threat of penalty.
3. Water Use Restrictions for Reducing Demand—All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:
  - a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6 A.M. and 10 P.M. and between 8 P.M. and midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
  - b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10 A.M. and between 6 P.M. and 10 P.M.
  - c. The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
  - d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
  - e. No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

F. Stage 5 Response—Emergency Water Shortage Conditions

1. Target—Achieve a 30 percent reduction in daily water demand.
2. Best Management Practices for Supply Management—The City will reduce water demand by discontinuing the flushing of water mains and reducing irrigation of public landscaped areas under the threat of penalty.
3. Water Use Restrictions for Reducing Demand—All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except the following:
  - a. Irrigation of landscaped areas is absolutely prohibited.
  - b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

G. Stage 6 Response—Water Allocation

In the event that water shortage conditions threaten public health, safety, and welfare, the Mayor is hereby authorized to allocate water according to the following water allocation plan:

1. Single-Family Residential Customers—The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 to 2	7,000
3 to 4	8,000
5 to 6	9,000
7 to 8	10,000
9 to 10	11,000
11 or more	13,000

“Household” means the residential premises served by the customer’s meter. “Persons per household” include only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two persons unless the customer notifies the City of a greater number of persons per household on a form prescribed by the Mayor. The Mayor shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the City offices to complete and sign the form claiming more than two persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the Mayor. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the City on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City in writing within two days. In prescribing the method for claiming more than two persons per household, the Mayor shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports

the number of persons in a household or fails to timely notify the City of a reduction in the number of person in a household shall be fined no less than \$2,000.00.

a. Residential water customers shall pay the following surcharges:

Double the per 1,000-gallon rate for the first 1,000 gallons over allocation.

b. Surcharges shall be cumulative.

2. Master-Metered Multi-Family Residential Customers:

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (example: apartments or mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer's meter serves two dwelling units unless the customer notifies the City of a greater number on a form prescribed by the Mayor. The Mayor shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City offices to complete and sign the form claiming more than two dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the Mayor. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City in writing within two days. In prescribing the method for claiming more than two dwelling units, the Mayor shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of a reduction in the number of person in a household shall be fined not less than \$2,000.00.

a. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

Double the per 1,000-gallon rate for the first 1,000 gallons over allocation.

b. Surcharges shall be cumulative.

3. Commercial Customers:

A monthly water allocation shall be established by the Mayor, or his/her designee, for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The nonresidential customer's allocation shall be approximately 75 percent of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. The Mayor shall give his/her best effort to see that notice of each nonresidential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City to determine the allocation. Upon request of the customer or at the initiative of the Mayor, the allocation may be reduced or increased if, the designated period does not accurately reflect the customer's normal water usage, one nonresidential customer agrees to transfer

part of its allocation to another nonresidential customer, or other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Mayor.

- a. Nonresidential commercial customers shall pay the following surcharges:  
  
Double the per 1,000-gallon rate for uses over allocation gallons.
- b. The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

## ENFORCEMENT

- A. No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Mayor, or his/her designee, in accordance with provisions of this Plan.
- B. Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not more than \$2,000.00. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Mayor shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the Mayor that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.
- C. Any person, including a person classified as a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator. Proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- D. Any employee of the City, police officer, department head, or other employee designated by the Mayor, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator (if known) the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is

a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

## VARIANCES

The Mayor, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- A. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- B. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Mayor, or his/her designee, and shall include the following:

- A. Name and address of the petitioner(s).
- B. Purpose of water use.
- C. Specific provision(s) of the Plan from which the petitioner is requesting relief.
- D. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- E. Description of the relief requested.
- F. Period of time for which the variance is sought.
- G. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- H. Other pertinent information.

Variances granted by the City shall be subject to the following conditions, unless waived or modified by the Mayor, or designee:

- A. Variances granted shall include a timetable for compliance.
- B. Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specific requirements.

No variance shall be retroactive of otherwise justify any violation of this Plan occurring prior to the issuance of the variance.



**HOUSTON- GALVESTON AREA COUNCIL**  
OFFICE OF THE EXECUTIVE DIRECTOR

October 13, 2022

Dear General Law City Mayor:

Although we have not received notification from your city designating its representative and alternate on H-GAC's 2023 General Assembly, we do want your city to participate in selecting the General Law Cities representatives on the 2023 H-GAC Board of Directors. Therefore, we hope that you can join us as your city's representative to help select two General Law Cities representatives and two alternates to serve on H-GAC's 2022 Board of Directors. To accomplish this important business and to update you on H-GAC program activities of interest, City of Pattison **Mayor Joe Garcia** and City of Waller **Council Member Nancy Arnold**, current General Law Cities representatives on the H-GAC Board of Directors, have called a dinner meeting for:

**DATE:** Thursday, November 10, 2022  
**PLACE:** Embassy Suites Houston West – Katy (I-10 and Park 10)  
Rice Ballroom – 2<sup>nd</sup> Floor  
16435 Katy Freeway  
Houston, TX 77094  
**TIME:** 6:30 p.m.—Cash Bar Reception  
7:00 p.m.—Dinner  
8:00 p.m.—Business Meeting  
**COST:** \$55.00 per person

I hope you will take a moment now to indicate your attendance plans on the attached response form, by registering online on the H-GAC website at <https://www.h-gac.com/events/general-law-cities-caucus>, or by calling Cynthia Jones at 713-993-4591. If you will not be able to attend on **November 10**, we would appreciate you contacting another elected member of your governing body so that your city's vote can be cast in designating the General Law Cities representatives on H-GAC's Board of Directors.

I look forward to visiting with you on November 10 and exchanging ideas about how H-GAC can better serve your city.

Sincerely,

Chuck Wemple

CW/cj

Attachment  
cc: City Secretary

# RESPONSE

## GENERAL LAW CITIES CAUCUS

Thursday, November 10, 2022

6:30 p.m. Reception

7:00 p.m. Dinner

8:00 p.m. Business Meeting

### EMBASSY SUITES HOUSTON WEST - KATY

Rice Ballroom – 2<sup>nd</sup> Floor

16435 Katy Freeway

Houston, Texas 77094

(Complimentary Self-Parking)

DELEGATE

Or ALTERNATE:

\_\_\_\_\_

Title:

\_\_\_\_\_

City:

\_\_\_\_\_

Spouse/Guest

\_\_\_\_\_

- YES, I WILL BE ABLE TO ATTEND
- NO, I WILL NOT BE ABLE TO ATTEND
  
- I will require \_\_\_\_\_ (number) vegetarian meal(s).

Cost of the dinner is \$55.00 per person

Payment enclosed: \_\_\_\_\_

I will pay with credit card: \_\_\_\_\_ (Go to <https://www.h-gac.com/events/general-law-cities-caucus>)

**Payment must be made in advance.** Registration and payment by credit card (Visa and MasterCard only) can be made online. To register and pay by phone, call Cynthia at 713-993-4591 or mail in your registration form and check made payable to H-GAC to:

Houston-Galveston Area Council

Attn: Cynthia Jones

3555 Timmons Lane, Suite 100

Houston, TX 77027

**(Please add General Law Caucus in the memo line)**

PLEASE FAX THIS FORM to 713-993-2414 or contact Cynthia Jones at 713-993-4591, or email [cynthia.jones@h-gac.com](mailto:cynthia.jones@h-gac.com) by Monday, November 7<sup>th</sup>. **Cancellations received after Monday, November 7<sup>th</sup> are subject to billing.**

DESIGNATION OF REPRESENTATIVE AND ALTERNATE  
HOUSTON-GALVESTON AREA COUNCIL  
2023 GENERAL ASSEMBLY

\*\*\*\*\*

BE IT RESOLVED, by the Mayor and City Council of \_\_\_\_\_, Texas,  
that \_\_\_\_\_ be, and is hereby designated as its  
Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the  
year 2023.

FURTHER, that the Official Alternate authorized to serve as the voting representative should  
the hereinabove named representative become ineligible, or should he/she resign, is  
\_\_\_\_\_.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the  
designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_

## City of Magnolia

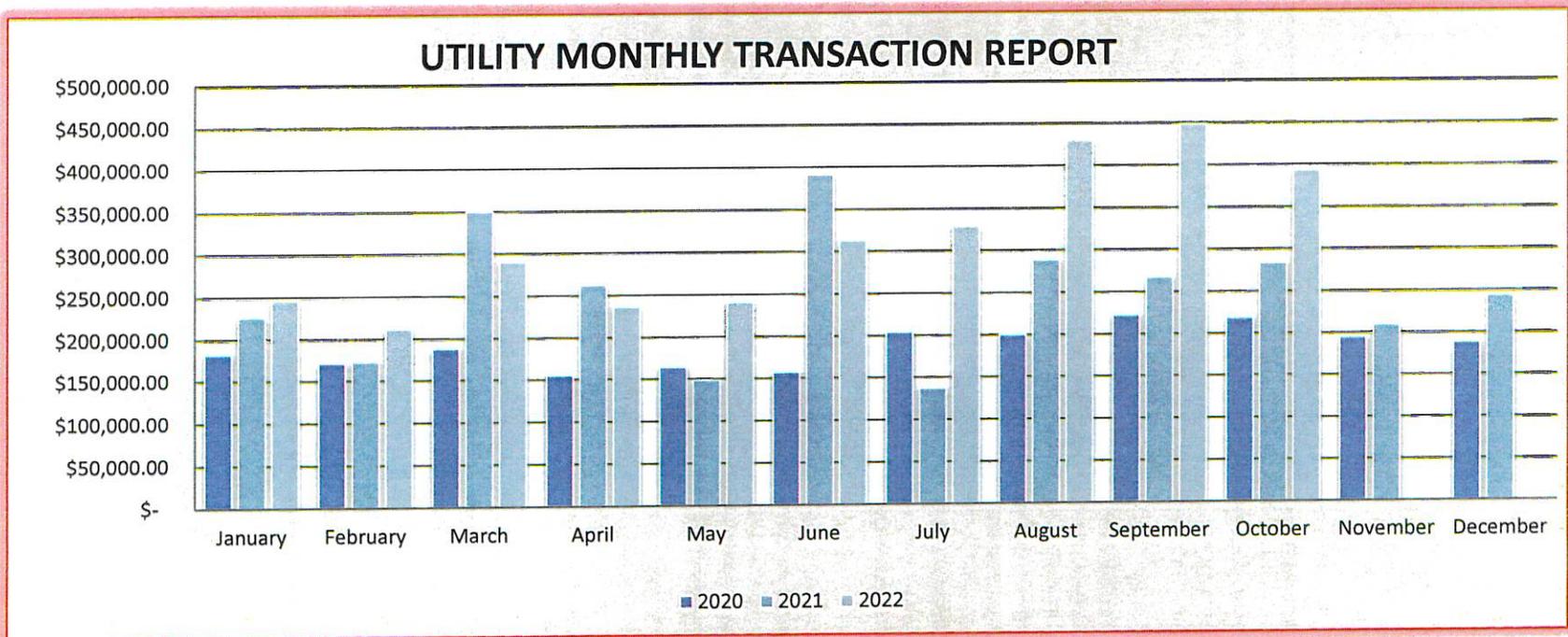
### Public Works Report

**Oct-22**

		# Worked/Completed		
<b>AFTER HOURS CALLS</b>		12		
Water leaks		7		
Water taps		48		
Sewer leaks		1		
Sewer taps		48		
Description		# Worked/Completed		
<b>Hydrants/Blow-offs done</b>		15		
Lift station CALLED IN REPAIRS		2		
Lift Station repairs by PW		4		
Street signs		2		
Street patching		6		
Turn Off's/Turn On's		127	7	
Mowed		see	tracker	NONE
Work orders completed		205		
Shop work Description				
PD Vehicle repairs Svenni		1		
PD Oil changes Svenni		1		
PW Vehicle Work Orders		1		
PW Vehicle Oil changes		3		
<b>TOTAL</b>		6		
		<i>This year</i>	<i>Last Year</i>	
		<b>Oct-22</b>	<b>Oct-21</b>	<b>Difference</b>
Gallons pumped well#1		3,138.000	2,655.000	483.000
Gallons pumped well#2		4,400.000	2,665.000	1,735.000
Gallons pumped well#3		33,556.000	15,953.000	17,603.000
<b>Total for the month for all 3</b>		<b>41,094.000</b>	<b>21,273.000</b>	<b>19,821.000</b>
<b>*Sewer plants inspected 7 days a week by law*</b>				
		<i>Current yr.</i>	<i>Last yr.</i>	
		<b>Oct-22</b>	<b>Oct-21</b>	<b>Difference</b>
<b>Treated gallons pumped plant#1</b>		<b>13,137.000</b>	<b>11,829.000</b>	<b>1,308.000</b>
<b>ALL METERS READ IN THOUSANDS</b>				

**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	1849	\$ 328,967.56	140.79%
August-21	1282	\$ 288,671.20	August-22	1985	\$ 429,740.87	48.87%
September-21	1317	\$ 267,150.94	September-22	2059	\$ 448,301.48	67.81%
October-21	1394	\$ 283,617.23	October-22	2169	\$ 393,764.08	38.84%
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	1759	\$ 314,049.17	26.39%



# City Administrator's Report for November 8, 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:

10/11 Attended AEI Engineering Teams meeting for weekly projects review

10/11 Attend Pre-Bid Conference for Engineering of FM 1774 Sewer Line Extension

10/12 Met with Business Owner to discuss expanding and moving to another in-City location

10/12 Met with Local Developer

10/12 Met with Church Representative to discuss high water use

10/13 Tele-conference with City Engineer and city Attorney

10/13 Attended Pre-Construction meeting with Local Developer

10/13 Attended 4B meeting

10/17 Met with Local Developer

10/19 Work began on new Well Site

10/20 Met with Local Developer

10/21 Met with TCEQ Investigator

10/25 Attended AEI Engineering Teams meeting for weekly projects review

10/27 Attended Chamber meeting with County Judge as Guest Speaker

10/28 Attended Timber Brook Pre-Construction meeting

10/28 Attended meeting to discuss water pressure issues

10/31 Attended City Manager/Administrator breakfast

11/02 Attended new HEB Grand Opening

11/02 Participated in a Tele-conference to discuss water pressure

11/02 Attended Zoning Board of Adjustment meeting

I have attached a 2 - page Financial Summary

Don Doering

**City of Magnolia  
Financial Summary  
October 31, 2022  
9% of Fiscal Year**

	Budgeted	Actual	Percent
<b>General Fund</b>			
Revenue	\$7,334,459	\$239,303	3%
Expenses	\$5,001,366	\$463,543	9%
<b>Water &amp; Sewer Fund</b>			
Revenue	\$10,895,537	\$865,414	8%
Expenses	\$4,994,293	\$860,696	17%
<b>Capital Projects Enter.</b>			
Revenue	\$1,936,137	\$0	0%
Expenses	\$3,596,622	\$259,108	7%
<b>Debt Service</b>			
Revenue	\$786,235	\$0	0%
Expenses	\$785,718	\$113,923	14%
<b>4B Community Dev.</b>			
Revenue	\$674,274	\$0	0%
Expenses	\$547,292	\$847	0%
<b>4A Economic Dev.</b>			
Revenue	\$1,340,733	\$0	0%
Expenses	\$400,397	\$9,559	2%
<b>Red Light Camera</b>			
Revenue	\$0	\$0	0%
Expenses	\$0	\$0	0%
<b>445 Road Repair</b>			
Revenue	\$647,850	\$0	0%
Expenses	\$300,000	\$0	0%
<b>Hotel/Motel Occup.</b>			
Revenue	\$55,000	\$3,516	6%
Expenses	\$40,000	\$3,763	9%
<b>MC Security Fund</b>			
Revenue	\$7,000	\$657	9%
Expenses	\$5,000	\$0	0%

**City of Magnolia  
Financial Summary  
October 31, 2022  
9% of Fiscal Year**

	Budgeted	Actual	
<b>MC Tech. Fund</b>			
Revenue	\$9,000	\$721	8%
Expenses	\$8,100	\$266	3%
<b>Scofflaw</b>			
Revenue	\$0	\$0	0%
Expenses	\$0	\$0	0%
<b>In-Kind Franchise</b>			
Revenue	\$0	\$0	0%
Expenses	\$0	\$0	0%
<b>Capital Projects</b>			
Revenue	\$0	\$0	0%
Expenses	\$0	\$0	0%
<b>Magnolia Ridge PID</b>			
Revenue	\$124,315	\$0	0%
Expenses	\$117,495	\$0	0%
<b>Seized Property</b>			
Revenue	\$0	\$0	0%
Expenses	\$0	\$0	0%
<b>Judicial Efficiency</b>			
Revenue	\$200	\$154	77%
<u>Expenses</u>	<u>\$0</u>	<u>\$0</u>	<u>0%</u>
<b>Total Revenue</b>	<b>\$23,810,740</b>	<b>\$1,109,765</b>	<b>5%</b>
<b>Total Expenses</b>	<b>\$15,796,283</b>	<b>\$1,711,705</b>	<b>11%</b>
<b>Total Rev - Capital P.</b>	<b>\$21,874,603</b>	<b>\$1,109,765</b>	<b>5%</b>
<b>Total Exp. - Capital P.</b>	<b>\$12,199,661</b>	<b>\$1,452,597</b>	<b>12%</b>



# ENGINEERING REPORT

NOVEMBER 8, 2022

## 1. CAPITAL IMPROVEMENT PLAN PROJECTS IN DESIGN

### A. GST Addition at Water Plant No. 2

The project is being kicked off.

### B. Dogwood Patches Sanitary Sewer Rehabilitation (CDBG Funding)

We have been provided additional contract language needed per state and federal guidelines on the AEI contract with the City for this project. We are revising the contract and will provide the revised version at the December meeting.

### C. Water Plant No. 3

#### 45-Acre Tract Wetlands Delineation and Phase I ESA (no update)

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. Water Plant No. 3 drainage design is underway. Once complete, coordination with the Corps will begin.

#### 45-Acre Tract Surveying and Platting

The access easement has been recorded and the Water Plant No. 3 plat can be approved at the next PZC meeting.

#### Water Plant No. 3 Phase II Design (GST, MCC Building, Detention, Site) (No update)

Engineering design is underway.

### D. Water Well No. 8 at Water Plant No. 2

The project has undergone internal QA/QC review and is currently under TCEQ review. The project will advertise in November with bids presented in December.

**For action:** Authorize advertisement of Water Well No. 8

A permit allocation increase has been requested with Lone Star Groundwater Conservation District (LSGCD).

### E. Amarillo Street Repairs

The geotechnical report indicated the areas with street settlement had dryer soil than the cores taken in areas without settlement. Those same settlement areas have nearby trees, and it is assumed those trees are removing the moisture from the soil and causing the settlement issues. It was recommended to trim the tree canopies of the trees near the

settlement to reduce their water need. We have received a revised geotechnical report with recommendations for pavement and stabilized base replacement.

## **F. Bryan Street Drainage Improvements**

The contract was awarded to LG&G Construction at the October meeting. A pre-construction conference with Grantworks, Strand, AEI, City Staff, and LG&G was held on October 28. The anticipated contract completion date is December 1, 2022.

## **2. CAPITAL IMPROVEMENT PLAN PROJECTS IN CONSTRUCTION**

### **A. Water Plant No. 3**

#### Phase I

A pre-construction meeting was held on September 19 and a Notice to Proceed was issued on October 3. The contractor completed the access road on October 31, and now that the access road is in place the drilling rig can mobilize. They are scheduled to perform the tapping sleeve and valve (TS&V) connections to the existing 16-inch water line on November 1. We are reviewing and awaiting submittals.

### **B. Nichols Sawmill Interceptor Sewer Replacement Phase II**

Ballast Point Construction is essentially complete with construction.

We still have a small area at Betty Hall St. that was left unpaved to facilitate the temporary reroute. We are coordinating with DL Glover to incorporate this paving as part of the FM 1488 utility relocation project.

AEI has created a solicitation package to seal the manholes and perform vacuum testing on the previously installed manholes on this project. We have solicited contractors and have requested proposals by November 7, 2022. We will coordinate award of contract with City Staff.

### **C. Nichols Sawmill Interceptor Sewer Replacement Phase III**

The project is approximately 84% complete. Remaining items of work include installation of one manhole, service connections, line abandonment, and mandrel and pressure testing of approximately 855 linear feet of sanitary sewer.

Change Order No. 2 has been prepared for \$364,168.00 to change a large portion of open cut construction to trenchless construction to avoid impacts on the school.

**For action:** Consider authorization of Change Order No. 2.

We received Pay Estimate No. 4 for \$187,860.36 for partial payment of one sanitary sewer manhole, 247 linear feet of 24-inch sanitary sewer inside 42-inch steel casing, 15 vertical feet of external sanitary sewer drops, 158 linear feet of 18-inch RCP storm sewer, erosion control matting, traffic control, and 95% of the value for material on hand. Payment to the contractor is recommended at this time.

We received Pay Estimate No. 5 for \$345,959.60 for work to be completed per Change Order No. 2 and 95% of the value for material on hand. Payment to the contractor is recommended at this time.

#### **D. FM 1488 Force Main Construction and Water Line Relocation**

D. L. Glover, Inc. has completed the crossing of SH 249. They are currently working on backfilling of bore pits for that crossing. Remaining items include tying in the new water line to the water system and tying the new force main into the sanitary sewer system once the Nichols Sawmill Sewer Interceptor Replacement Phase III project is online. Then, the existing water line will be abandoned. The project is approximately 85% complete.

We received Pay Estimate No. 6 for \$63,105.42 for partial payment for installation of 300 linear feet of water line, 190 linear feet of force main, two force main check valves, trench safety, traffic control, site restoration, grading, and work per Change Order No. 2. Payment to the contractor is recommended at this time.

#### **E. Nichols Sawmill WWTP Expansion**

Allco is continuing to work on site performance testing of the equipment. We are still awaiting delivery of the permanent chemical tanks, but there are temporary totes for startup. The project is approximately 92% complete.

### **3. 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. Once service is transferred to the new plant, the existing treatment units will be taken out of service and evaluated.

### **4. REGULATORY COMPLIANCE PROJECTS**

#### **A. Emergency Preparedness Plan (EPP) and Critical Load Coordination**

TCEQ provided comments to the EPP. AEI has addressed the comments and provided the TCEQ the revised plan. We are awaiting their approval to proceed with the next steps.

#### **B. Sanitary Sewer Overflow (SSO) Initiative**

##### SSO Initiative Plan (No Update)

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

Duke's has compiled the data from the iTrackers in the area around Tractor Supply, and the results indicate there are no I&I issues from Tractor Supply. AEI will coordinate with the Director of Public Works on dye testing lines in the area to determine flow directions that will help us better understand what is occurring in this area.

## 5. PLANNING PROJECTS

### A. Master Thoroughfare Plan

A draft of the Master Thoroughfare Plan was provided to the City of October 25.

### B. Unified Development Code

We have a proposed stakeholder's group and have scheduled for the first task force meeting for December 7, 2022.

**For action:** Consideration and possible approval to appoint the Unified Development Code (UDC) task force.

## 6. FUTURE WATER PLANT NO. 4

We identified a potential Water Plant No. 4 Site in Magnolia Ridge at the intersection of Whistle Stop Lane and Magnolia Bend Trace. The site exceeds half a mile from any other large well and will support pressure further east from the Elm and Kelly water plants. The current owner has listed the site over the current market; however, there are concessions they need and there are reasons for the price to be reduced. MCAD has listed similar properties from \$20,000 to 40,000 per acre. In addition, the City can condemn the site if necessary, which makes it in the owner's best interest to agree to a reasonable price.

**For action:** Consideration and possible approval to authorize LJA to negotiate acquisition of the site.

## 7. FUTURE WWTP (NO UPDATE)

This item is part of the negotiations with Audubon.

## 8. CITY LIMITS, ETJ, AND ZONING MAP

We have received a draft map on the City/ETJ limits and have provided comments to the surveyor.

## 9. SCADA EVALUATION

We met with the City on October 14, 2022 to discuss the preliminary findings and recommendations. We are underway with the final report.

## 10. FUNDING FOR PROJECTS

### A. TWDB State Revolving Funds for Wastewater Treatment Plant Expansion

The City has been invited to apply for the funds and AEI has submitted the Intent to Apply for the WWTP expansion. We are working on the application that is due December 19, 2022.

## **B. American Rescue Plan Act of 2021 (ARPA) Funding**

AEI provided project costs and descriptions to GrantWorks, Inc. for the Elm Street Water Plant 212,000-Gallon GST rehabilitation and 100,000-Gallon GST rehabilitation and the Kelly Road Water Plant 200,000-Gallon GST rehabilitation on October 3. We are now awaiting direction from them for the next steps.

## **C. Water Infrastructure Finance and Innovation Act (WIFIA) Funding**

A presentation was given to City Council at the September meeting. There is no update this reporting period and this item will be removed from the next engineering report.

# **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:

- Venturi Engineers: Met on 10/10 and 10/13 to discuss removal of potential right-of-way for 4<sup>th</sup> Street.
- Discovery Tract: Met on 10/13 to discuss development.
- Mill Creek: Met with their attorney on 10/14 to discuss water pressure.
- Magnolia Place: Met on 10/17 to discuss development.
- HEB and Stratus: Met with Chessie Zimmerman on 10/28 to discuss water pressure.

## **B. Development Acceptance (no changes)**

Final inspections have been held and passed for Magnolia Ridge Forest Sections 1-6. We are awaiting the Engineer's certification of construction to finalize the recommendation of acceptance by City Council into the City maintained system.

We have punchlist items for Magnolia Ridge Forest Sections 7, 11, and 12 which appear to be complete. The Developer's Engineer need to provide certification of construction prior to recommendation of acceptance by City Council into the City maintained system.

The final inspection of Detention Facilities to serve Magnolia Ridge Forest Sections 13 and 14 has been held and the punchlist has been checked. It was reported to be complete last month; however, items remain to be completed. Once it is complete and all documentation is complete, we will move forward with acceptance.

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**

- We are in coordination with TxDOT regarding reimbursement for City of Magnolia easements during the FM 1488 right-of-way expansion. We provided easement documents to TxDOT on October 27.

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- (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.
- AEI is continuing to work on GIS updates to the City's GIS system, including adding and modifying water, sewer and storm facilities and adding in planning items.
- AEI is reviewing the City's standard specifications and will provide comments. We are about 50% complete. \
- AEI has met with various entities concerning pressure issues with the water system. The new Water Plant No. 3 will add significant pressure to the east end of the City, especially during times of peak use. We have also recommended changes to the Drought Contingency Plan that will provide additional flexibility to the City to manage water use. Finally, we have been in discussions with the developers and MUDs to find potential interim solutions that may increase the localized pressures. We will continue to work towards a temporary solution and the permanent solution with the new well and additional plants.



**Michael A. Kurzy, P.E.**

Vice President

AEI Engineering, a Baxter & Woodman Company

TBPELS Registration No. F-21783

Attachments

## PLAN REVIEW PROJECT STATUS

10/31/2022

B&W No.	Client & Project Name		Engineer	Plat				Plans Submittal No. 1				Plans Submittal No. 2				Plans Submittal No. 3				
				Preliminary Plat Received	Preliminary Plat Approved	Final Plat Received	Final Plat Approved	Plans Received	Administratively Complete	Plan Review Letter Sent	No Objection Letter Sent	Plans Received	Administratively Complete	Plan Review Letter Sent	No Objection Letter Sent	Plans Received	Administratively Complete	Plan Review Letter Sent	No Objection Letter Sent	
211709.80-001	MAGNC	Ranco Grande Restaurant	REG	No	No			08/12/21	Yes	08/17/21				01/13/22	Yes	01/27/22				
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				
220780.80-001	MAGNC	C-Store & Gas Station	CT	No				04/12/22	Yes	04/26/22				08/16/22	Yes	08/29/22				
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	CRE	Yes	Yes			04/25/22	Yes	05/04/22				06/27/22	Yes	07/14/22				
220877.80-001	MAGNC	Magnolia Ridge Forest Section 19 Final Plat	CRE	Yes	Yes			04/25/22	Yes	05/04/22				06/27/22	Yes	07/14/22				
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				08/15/22	Yes		08/24/22			
221390.80-001	MAGNC	Escondido Sec 5 Final Plat	CRE	Yes	Yes	Yes		06/27/22	Yes	07/08/22				07/13/22	Yes	07/19/22				
221399.80-001	MAGNC	Mill Creek Estates Sec 8 WSDP	TDH	Yes	Yes	No		06/27/22	Yes	07/06/22										
221452.80-001	MAGNC	Mill Creek Estates Lift Station No. 2	CP	Yes	Yes	No	No	07/06/22	Yes	07/15/22				09/15/22	Yes		09/22/22			
221489.80-001	MAGNC	Escondido Sec 7 Final Plat	CRE	Yes	Yes	Yes		06/28/22	Yes	07/13/22										
221500.80-001	MAGNC	Magnolia Private Driveways to Serve Magnolia Village Drive	REG	Yes	Yes	Yes	Yes	07/07/22	Yes	07/15/22				09/21/22	Yes		09/22/22			
221505.80-001	MAGNC	Mustang Ridge DIA 2022 Update	SMA	N/A	N/A	N/A	N/A	07/13/22	Yes		07/20/22									
221519.80-001	MAGNC	MHT Homes Magnolia Private Improvements	MJM	No	No			07/15/22	Yes	08/04/22				10/24/22	Yes	In progress				
221520.80-001	MAGNC	MHT Homes Magnolia DIA	SMA	No	No			07/15/22	Yes	08/04/22				08/23/22	Yes		09/12/22			
221563.80-001	MAGNC	Mill Creek Estates Sec 9 WSDP	TDH	Yes	Yes	No		07/22/22	Yes	08/02/22										
221580.80-001	MAGNC	Magnolia Parkway Storage Phase II	TDH	No	No	Yes	Yes	07/22/22	Yes	08/02/22				08/11/22	Yes		08/24/22			
221633.80-001	MAGNC	TxDOT Driveway Permit Deceleration Lane and 16-inch Water Line	REG	N/A	N/A	N/A	N/A	07/25/22	Yes	08/02/22										
221634.80-001	MAGNC	Mill Creek Estates Boulevard WSDP & FM	TDH	Yes	Yes	No		08/01/22	Yes	08/15/22										
221646.80-001	MAGNC	Escondido Section 9 Final Plat	CRE	Yes	Yes	No		08/03/22	Yes	08/04/22										
221654.80-001	MAGNC	Christian Brothers Automotive	CP	Yes	Yes			08/04/22	Yes	08/16/22				09/27/22	Yes	10/12/22				
221678.80-001	MAGNC	Magnolia Ridge Forest Sec 18 WSDP	TDH	Yes	Yes			08/09/22	Yes	08/23/22										
221695.80-001	MAGNC	Glen Oaks Sec 5 Final Plat	CRE	Yes	No			08/04/22	Yes	08/11/22	08/17/22									
221696.80-001	MAGNC	Mill Creek Estates Sec 7 Final Plat	CRE	Yes	No			08/08/22	Yes	08/15/22				08/29/22	Yes	09/02/22		9/14/22		9/22/2022
221697.80-001	MAGNC	Water Plant No. 3 Preliminary Plat	CRE	Yes	No			08/08/22	Yes	08/15/22										
221719.80-001	MAGNC	Partial Replat of Lee Addition (was named Melton St Replat of Lots 1, 2, and	CRE	Yes	No			08/05/22	No	08/12/22				08/30/22	Yes	08/31/22		09/02/22	Yes	9/2/2022
221716.80-001	MAGNC	Mill Creek Estates Sec 10 WSDP	TDH	Yes	Yes			08/11/22	Yes	08/24/22										
221751.80-001	MAGNC	29 Acres Located at NE Corner of FM1774 and FM1486	CP	No				08/16/22	Yes	08/29/22										
221943.80-001	MAGNC	Escondido Onsite Collector Road WSDP	TDH	Yes	Yes			09/06/22	Yes		09/16/22									
222047.80-001	MAGNC	Parkside Magnolia WSDP	TDH	Yes	Yes			09/23/22	Yes		10/04/22									
222157.80-001	MAGNC	Mister Car Wash (Site Plan Only)	TDH	Yes	Yes	Yes	Yes	10/06/22	Yes	10/21/22										
222267.80-001	MAGNC	Magnolia Ridge Forest Section 20 - DIA	SMA	N/A	N/A	N/A	N/A	10/25/22	Yes											
222269.80-001	MAGNC	HEB Temporary Facilities (Site Plan Only)	TC/JCN	N/A	N/A	N/A	N/A	10/26/22	Yes	10/26/22										
222287.80-001	MAGNC	Magnolia Place Section 2 (WSDP)	TDH	Yes	Yes			10/27/22	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.