



Members Names

Chair | William Garwood

Commission Members | Deborah Spoor, Will Clark, Michelle Townsend,

Regina Bieri, Ellen Eby, Michael Hogan

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, DECEMBER 7, 2023, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

1. Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on November 2, 2023.
2. Discussion and possible action on consideration of the Planning and Zoning Commission Meeting Calendar for 2024.

PUBLIC HEARINGS AND ACTION ITEMS

REGULAR AGENDA

3. Discussion and possible action on a request to approve the Final Plat for Mulberry Fields Subdivision, for 41 Single Family lots, 2 reserves, 3 blocks on 13.0044 acres, located on SH 35 and N. Walker St., East of Heritage Ln./Murray Ranch Rd.

ADJOURNMENT

CERTIFICATION

I, Otis Spriggs, Development Services Director, do hereby certify that this Notice of a 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.angleton.tx.us, in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Monday, December 4, 2023, by 12:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

/S/ Otis Spriggs

Otis Spriggs

Development Services Director

Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability, or family status. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Angleton ADA Coordinator, Colleen Martin, no later than seventy-two (72) hours prior to the meeting, at (979) 849-4364 ext. 2132, email: cmartin@angleton.tx.us.



AGENDA ITEM SUMMARY FORM

MEETING DATE: December 7, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on November 2, 2023.

AGENDA ITEM SECTION: Declaration of a Quorum and Call to Order

BUDGETED AMOUNT: N/A **FUNDS REQUESTED:** N/A

FUND: N/A

EXECUTIVE SUMMARY:

Staff requests a discussion and possible action on the minutes for Planning and Zoning Commission meeting for November 2, 2023.

RECOMMENDATION: Staff recommends that the Planning and Zoning approve the minutes with any noted corrections.



CITY OF ANGLETON
PLANNING AND ZONING COMMISSION DRAFT MINUTES
120 S. CHENANGO STREET, ANGLETON, TEXAS 77515
THURSDAY, NOVEMBER 02, 2023 AT 12:00 PM

Members Names

Chair | William Garwood

Commission Members | Deborah Spoor, Will Clark, Michelle Townsend,

Regina Bieri, Ellen Eby, Michael Hogan

DRAFT

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, NOVEMBER 2, 2023, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

1. **Discussion/Introduction and the Administering of the Oath of Office, for Mr. Will Clark, newly appointed Planning Commission member.**

Chair Bill Garwood introduced new Commission member Will Clark. City Secretary, Michelle Perez administered the Oath of Office and swearing-in to Commission Member Will Clark.

2. **Discussion and possible action on the minutes for the Planning and Zoning Commission meeting held on September 19, 2023.**

Motion was made by Commission Member Ellen Eby and seconded by Commission Member Regina Bieri to approve the 9/19/2023 P&Z meeting minutes; Motion carried unanimously, 5-0. The Minutes were approved.

3. **Discussion and possible action on the election of a Vice-chairperson for the Planning and Zoning Commission.**

Chair Bill Garwood opened the floor for nominations for the Vice-chairperson. Commission Member Regina Bieri nominated Commission Member Deborah Spoor as Vice-chair; there were no objections. The vote was unanimous, 5-0, to elect Commission Member Deborah Spoor as Vice Chair to the Planning and Zoning Commission.

PUBLIC HEARINGS AND ACTION ITEMS

4. **Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance amending the City of Angleton Code of Ordinances, Zoning Chapter 28, and Chapter 23- Land Development Code, including Sections 28-41 through Sections 28-62 – Residential and Commercial Zoning Districts, Section 23-115–Standard language for special plat elements, Subsection C. Fire lanes and fire easements, Street pavement width requirement modifications. ARTICLE II. – Subdivision and Development Design, Section 23-12, Table 23-12.1, Street Dimension Standards, and Streets and Driveways, Section 129, and Section 28-101 Off-street and loading requirements (11).J. Fire Lanes, providing for clarity on area regulations, setback requirements and other standards, as set out and applicable in each Zoning district.**

Motion was made to open the public hearing by Commission Member Michelle Townsend, and seconded by Commission Member Regina Bieri. Motion carried unanimously.

Staff: D.S. Director Otis Spriggs presented this item giving the following staff summary: Development Servies has advertised this public hearing per the requirements for newspaper legal notices. This is the first public hearing that we're hearing on this text amendment.

This item has been under discussion with City Council, as noted in the Staff Summary, in that we are looking at improving public safety within the city limits. Photographs are shown which summarize some of the cause-and-effect issues that we're having within some of the subdivisions. Setback requirement issues are illustrated denoting encroachments into the sidewalk travel area, whereas from a pedestrian standpoint this could be problematic when dealing with ADA compliance, as well as baby strollers and safety of children-at-play.

Street travel width distance, being 28' wide on new residential streets is the next issue. We're looking at increasing the travel distance to 30 feet back-of-curb to back-of-curb. On the current books (Code of Ordinances), we have an ordinance that states that City Council has the discretion of enforcing one side of street parking; however, the City does not enforce this regulation. The alternative could be to impose the one side of road parking in some of the newer neighborhoods, realizing that in some of the older neighborhoods that would be difficult. The other photographs show the cul-de-sac issue, where we are having another safety issue, where residents actually utilize cul-de-sacs for parking purposes within the subdivision. We're looking at possibly rating the cul-de-sacs as fire lanes to prevent this. We'll be working with the Fire Chief and PD, and working with council to derive details of enforcement.

On October the 26th, we held a work session to get feedback from the design community, builders, developers, and those who own property within the city limits, allowing for e-

mail, in-person, and virtual feedback. The Agenda Summary includes the collected comments.

Some of the comments were: *If you increase the front yard setback, then this would limit the rear yard situation in most residential circumstances.* But our hope here is that this would not be the case on your larger and standard lots such as Residential 6.3 or SF 7.2, those districts being typically the 60 foot lot threshold. We feel the increase of a setback to 10 feet could work in that situation.

However, if you look at the table (Exhibit B), there is an outline of the proposed front yard and side yard setback changes. Questions were raised and discussed on lots that called for a narrower and deeper house layout, which will be difficult to place on an increased front yard scenario having minimal rear yards.

Staff is asking for a recommendation from the Planning and Zoning Commission to council and then open this up into public hearing for council and maybe hold it two meetings hopefully just exhaust our efforts in educating the public.

The recording/video of the “Zoning Setback” workshop on October 26th is still available; the link is within the agenda summary and is available on facebook, in which you can review; the public can still offer comments. Legal is still reviewing the proposed text amendments. We are recommending that the Planning and Zoning Commission hear comments and possibly make a recommendation, subject to final legal review and then any comments that you might.

Public Input: None

Chair Bill Garwood entertained a motion to close the public hearing.

Motion was made to open the public hearing by Commission Member Ellen Eby; seconded by Commission Member Regina Bieri. Motion carried unanimously.

Commission Member Regina gave comments on car length whereas she and her husband both drive big cars, hers at 17 feet long and his- 20.5 feet, the two would be 37.5 feet, which would encroach the sidewalk.

Commission Member Michelle Townsend added that as somebody who lives on a cul-de-sac she appreciates this vision as well. She supports and is willing to make a recommendation whenever we're ready to entertain one. She asked how this affects current developments approved. Mr. Spriggs stated that the proposed amendments would pertain to new developments. We will work with Legal on any items that can include any sunshine clauses. This will afford us a way to negotiate development agreements in developments within the ETJ and within the City on HOA covenants, in promoting current City Council vision.

Commission Action:

Motion was made by Commission Member Ellen Eby; seconded by Commission Member Regina Bieri to accept staff's recommendations amending the text of the City of Angleton Code of Ordinance Zoning, Chapter 28 and Chapter 23 Land Development Code including Sections 28 to 41 through Sections 28 to 62 residential and commercial Zoning Districts regarding the zoning setback and lot size type regulations to City Council for final action and approval.

Roll call vote:

Commission Member Ellen Eby- Aye; Commission Member Michelle Townsend- Aye; Commission Member Will Clark- Aye; Commission Member Regina Bieri- Aye; Commission Chair Bill Garwood- Aye. **5-0, Unanimous Approval.**

REGULAR AGENDA

5. Discussion and possible action on a Final Plat for Angleton Park Place Subdivision Section 2.

Staff: Kandice Haseloff-Bunker, Development Coordinator presented the final plat, noting that the development agreement was approved by City Council in August and the signatures were executed in October. The final plat is subject to and is in compliance with that development agreement and the City development requirements except for the noted Engineering comments. The section one final plat was approved in June of 2023 and the preliminary plat for the second section was approved shortly after that in July 2023. Staff recommends approval subject to Final Engineer approval to Council for final action and approval.

Commission Member Michelle Townsend made a motion to approve the final plat for Angleton Park Place Subdivision, Section 2 as being in compliance with the development agreement that was previously accepted and forward to City Council for final action, subject to final approval of the development by the City Engineer. Motion was seconded by Commission Member Regina Bieri.

Roll call vote:

Commission Member Ellen Eby- Aye; Commission Member Michelle Townsend- Aye; Commission Member Will Clark- Aye; Commission Member Regina Bieri- Aye; Commission Chair Bill Garwood- Aye. **5-0, Unanimous Approval.**

6. Discussion and possible action on a Final Plat for Ashland Model Home Park.

Staff: Kandice Haseloff-Bunker, Development Coordinator presented the final plat, noting that this is a final plat for nine lots on 3.46 acres. As you know it is in the E TJ and we don't have zoning, except other than what's detailed in the development agreement that's been approved with City Council. The Ashland model Home Park is in compliance with that development agreement in terms of what size and configuration. The section has a range of lots that have frontage from 50 to 60 feet, and the lots are going to be developed

with model homes expected to showcase. The section will obtain access from Sapphire Springs Trail that connects to Ashland Blvd, that connects with FM 521.

Judith El Masri, City Attorney addressed the Planning Commission, introducing herself to the new member; adding that she works with the Randle Law Office. We are the appointed city attorney for the City of Angleton. She clarified that the role of the Planning and Zoning Commission, is an advisory committee created by statute. The timeline that everyone is referring to is in the vernacular, is known as the 'Shot Clock' statute. Much of the local government code is written to favor developers, so I always have to preface any discussion with that because I often hear from the P&Z members and the City Council members across the board from all 14 entities that our law firm represents. It is because of the people that go to Austin and pass the laws.

The shot clock basically means that once a developer files a plat, whether it be a preliminary plat or a final plat, there are 30 days that the municipal entity that has to review it, has to act. In your city ordinances, the way that happens is it comes to P&Z first and then P&Z approves, makes additional recommendations, and then it goes to your City Council for final approval. There are other cities that don't do it that way. There are other cities that sometimes the administrative building services department approves first and then it goes to City Council and even in some large cities like Houston or San Antonio (with corporate size departmental staff) where some things may not even be approved by City Council. You can imagine how big those development departments are, you know, just corporate size. So that's the way it works here, that it comes to you first. The answer to your question is if you do nothing (if something comes to you and you do nothing), my first response to that query would be you're not doing your job.

Judith El Masri added that the P&Z Commission lies in between the people that are living in the houses and your elected officials; So, it's really an important job. And then secondly, statutorily, the way these statutes are written, the approval process is ministerial and all that means is you have to approve. The municipal body has to approve, assuming the plat or plan or whatever that comes to you is correct. So if you're the building services director, Otis, Kyle, and Kandice tell you it's correct, and if your engineer says it's correct, then your job is to approve.

If those entities come to you and say we have a problem with. XYZ, and we don't recommend that you approve it yet, etc.. Judith El Masri ended by emphasizing how important the P&Z job is, right, that City Council needs to hear them, because City Council can't be on every residential street, in every business, and it can't be everywhere, every day.

Commission Member Michelle Townsend made a motion to approve the final plat for Final Plat for Ashland Model Home Park as being in compliance with the development agreement that was previously accepted and forwards to City Council for final action, subject to final approval of the City Engineer and all referral agencies. The motion was seconded by Commission Member Will Clark.

Roll call vote:

Commission Member Ellen Eby- Aye; Commission Member Michelle Townsend- Aye;
 Commission Member Will Clark- Aye; Commission Member Regina Bieri- Aye;
 Commission Chair Bill Garwood- Aye. 5-0, Unanimous Approval.

7. Discussion and possible action on a Final Plat for Ashland Subdivision Section 1.

Staff: Kandice Haseloff-Bunker, Development Coordinator presented the final plat and staff summary.

Commission Member Michelle Townsend made a motion to approve the final plat for Ashland Subdivision Section 1 as being in compliance with the development agreement that was previously accepted and forwards to City Council for final action, subject to final approval of the City Engineer and all referral agencies. The motion was seconded by Commission Member Will Clark.

Roll call vote:

Commission Member Ellen Eby- Aye; Commission Member Michelle Townsend- Aye;
 Commission Member Will Clark- Aye; Commission Member Regina Bieri- Aye;
 Commission Chair Bill Garwood- Aye. 5-0, Unanimous Approval.

8. Discussion and possible action on a Final Plat for Ashland Subdivision Section 2

Staff: Kandice Haseloff-Bunker, Development Coordinator presented the final plat and staff summary.

Commission Member Michelle Townsend made a motion to approve the final plat for Ashland Subdivision Section 2 as being in compliance with the development agreement that was previously accepted and forwards to City Council for final action, subject to final approval of the City Engineer and all referral agencies. The motion was seconded by Commission Member Regina Bieri.

Roll call vote:

Commission Member Ellen Eby- Aye; Commission Member Michelle Townsend- Aye;
 Commission Member Will Clark- Aye; Commission Member Regina Bieri- Aye;
 Commission Chair Bill Garwood- Aye. 5-0, Unanimous Approval.

ADJOURNMENT: Meeting was adjourned at 12:43 PM.



Planning and Zoning Commission Meeting Calendar 2024

Thursday, January 4, 2024 at 12:00 pm

Thursday, February 1, 2024 at 12:00 pm

Thursday, March 7, 2024 at 12:00 pm

Thursday, April 4, 2024 at 12:00 pm

Thursday, May 2, 2024 at 12:00 pm

Thursday, June 6, 2024 at 12:00 pm

~~Thursday, July 4, 2024 at 12:00 pm~~ Option: July 2nd, 2024 at 12:00 pm or

Thursday, August 1, 2024 at 12:00 pm

Thursday, September 5, 2024 at 12:00 pm

Thursday, October 3, 2024 at 12:00 pm

Thursday, November 7, 2024 at 12:00 pm

Thursday, December 5, 2024 at 12:00 pm



AGENDA ITEM SUMMARY FORM

EDITED

MEETING DATE: December 7, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Discussion and possible action on a request to approve the Final Plat for Mulberry Fields Subdivision, for 41 Single Family lots, 2 reserves, 3 blocks on 13.0044 acres, located on SH 35 and N. Walker St., East of Heritage Ln./Murray Ranch Rd.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: None

FUNDS REQUESTED: None

FUND: None

EXECUTIVE SUMMARY:

The subject property consists of 13.0044 acres, having 41 lots, 2 reserves acres with two points of access (N. Walker and SH 35). The project shall be limited to the development of single-family dwellings and uses as permitted by the SF-6.3 zoning district.

City Council approved the Development Agreement on September 26, 2023 which outlined the provisions set forth to regulate the development of the single-family subdivision, outlining the agreement to be made between the owners, developers and the City. The Developer agreed to pay the City fees in lieu of dedication of park acres as well as the CAF/ (Capacity Acquisition Fees). A Homeowner's Association is required of the Developer with detailed Deed Restrictions and maintenance of open space areas.

The civil and construction plans have been reviewed by staff and the City Engineer as of March, 2023 and a letter of no objection is on file. The Final Subdivision Plat was filed and submitted for final consideration.

The City Engineer has reviewed the final plat and offered the following textual changes that were submitted but not cleared prior to Agenda posting. The attached 2nd Review by the City Engineer reflects that the following comments have all been addressed by the applicants:

City Engineer Review Comments:

General

1. Verify proposed plat incorporates required easements from private utility companies.
2. Plat is subject to approval from Referral Agencies such as TxDOT and Angleton Drainage District.

Sheet 2 of 2:

1. Provide a graphics legend to show items such as iron rods, benchmarks.
2. Notate "P.L.E" in plat legend.
3. Notate point of beginning in field notes description.
4. Field Notes, Paragraph 14 - Verify and update bearings shown. The field notes do not match the drawing.
5. Remove text shown if not needed (Lot Area Table).
6. For streets being dedicated, include a table that details the street names, lengths and type on the plat.
7. No graphic/xy shown for TBM A,B, and D.
8. Contours can be removed from Final Plat.
9. Remove RPLS seal from Sheet 2.

RECOMMENDATION:

Staff recommends approval of the final plat for Mulberry Fields Subdivision subject to final approval of the City Engineer and approval of all referral agencies and that the Planning and Zoning Commission forwards the plat to City Council for final consideration.

DEVELOPMENT INFORMATION

Project Name/Address/Location: Mulberry Fields / Property ID # 180461 Acreage: 13.002
 Brief Description of Project: 41 Residential Lots
 Is property platted? No Yes Subdivision name: Mulberry Fields No. of Lots: 41
 Recordation #: _____ Parcel(s) Tax ID#: 06990016000
 Existing Use: Raw Land Proposed Use: Residential Single Family
 Current Zoning: SF6.3 Proposed Zoning: SF6.3
 Occupancy Type: _____ Sq. Ft.: _____ Bed #: _____ Bath #: _____ Car Garage #: _____
 Water System Well Public Flood Zone: Yes No Sewer System: Septic Public

PROPERTY OWNER INFORMATION

Owner: Mulberry Fields LLC Contact Name: Corey Boyer
 Address: _____
 Phone: _____

APPLICANT INFORMATION

Applicant/Developer: Mulberry Fields LLC Contact Name: Corey Boyer
 Address: _____
 Phone: _____

KEY CONTACT INFORMATION

Name of the Individual: _____ Contact Name: _____
 Address: _____ City/State/ZIP: _____
 Phone: _____ Email: _____

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature: Corey Boyer Corey Boyer Date: 10/20/2023
 (Signed letter of authorization required if the application is signed by someone other than the property owner)

*****OFFICE USE ONLY*****

DATE REC'D: _____ BY: _____

FEES PAID: _____

APPROVED BY: _____ DATE APPROVED: _____

APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

TYPE OF APPLICATION Please check appropriate box below:

Landuse, Policy, and Site Development

- Annexation
 Rezoning/ FLUM Amendment
 Specific Use Permit
 Planned Development (PD)
 Amending Minor and Major Plat
 Minor Consolidation Plat
 Development Plat
 Concept Plan
 Preliminary Plat
 Final Plat
 Replat
 Construction Plans
 Special Exception
 Floodplain Development Permit
 Variance/Appeal
 On-Site Sewage Facility Permit (OSSF)
 Certificate of Occupancy (CO)
 Grading/Clearing Permit
 Site Development Permit/ Site Plan Review

Interpretations/Verifications/Text Amendments

- Comprehensive Plan Amendment (Text)
 Land Development Code (LDC)/Zoning Text Amendment
 Vested Rights Verification Letter
 Letter of Regulatory Compliance
 Zoning Verification
 Letter/Written Interpretation
 Legal Lot Verification

Other Permits/Licenses/Registration

- Commercial -New/Remodel/Addition
 Residential Building Permit 1 & 2 Family
 (New, Remodel, Addition, Patio Cover, Carport, Foundation Repair, House Leveling, Windows, New Mobile Home, Siding, Storage Building permits, Re-roof)
 Miscellaneous
 Fence
 Solar Panels
 Swimming Pool
 Demolition or Move
 Backflow/Irrigation
 Flatwork
 Electrical Permit
 Plumbing Permit
 Mechanical Permit
 Sign Permit
 Garage Sale Permit
 Master/ Common Signage Plan
 Fire Prevention Permit Form
 Right-of-Way Construction
 Pipeline Permit
 Drainage Pipe/Culvert Permit
 Roadside Banner Permit
 Mobile Home Park Registration
 Game Room Permit Form
 Grooming Facility License
 Alcohol permit
 Health Permit
 Temporary Health Permit
 Alarm Permit

121 S. Velasco, Angleton, Texas 77515
 979-849-4364 – Fax: 979-849-5561
<http://www.angleton.tx.us>

December 6, 2023

Mr. Otis Spriggs
Director of Development Services
City of Angleton
121 S. Velasco
Angleton, TX 77515

Re: On-Going Services
Mulberry Fields Subdivision Final Plat – 2nd Submittal Review
Angleton, Texas
HDR Job No. 10336228

Dear Mr. Spriggs:

HDR Engineering, Inc. (HDR) has reviewed the plat for the above referenced subdivision and offers the following comments:

General

1. It is noted that the design professional verifies proposed plat incorporates required easements from private utility companies prior to filing of final plat
2. It is noted that the Final Plat is subject to approval from Referral Agencies such as TxDOT and Angleton Drainage District. This shall be completed prior to filing of the Final Plat.
3. Completion of the associated subdivision improvements in accordance with City Ordinances (Sec. 23-98) shall be provided prior to recordation of Final Plat.

HDR takes no objection to the proposed Mulberry Fields Subdivision Final Plat with the exceptions noted. Please note, this does not necessarily mean that the entire drawings, including all supporting data and calculations, has been completely checked and verified; however, the drawings and supporting data are signed, dated, and sealed by a Registered Professional Land Surveyor licensed to practice in the State of Texas, which therefore conveys the surveyor's responsibility and accountability.

If you have any questions, please feel free to contact us at our office (713)-622-9264.

Sincerely,

HDR Engineering, Inc.

Javier Vasquez, P.E., CFM
Civil Engineer

cc: Files (10336228)

Attachments

STATE OF TEXAS:
COUNTY OF BRAZORIA:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Mulberry Fields, LLC, a Texas limited liability company, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as Mulberry Fields Subdivision, a subdivision in the jurisdiction of the City of Angleton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys and public parkland shown thereon. The streets, alleys and parkland are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Angleton. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Angleton's use thereof. The City of Angleton and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Angleton and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

IN TESTIMONY WHEREOF, Mulberry Fields, LLC, acting by and through Corey Boyer, Officer, therunto authorized, this ____ day of _____, 202____.

Mulberry Fields, LLC,
a Texas limited liability company

By: _____
Corey Boyer, Officer

STATE OF TEXAS:
COUNTY OF BRAZORIA:

BEFORE ME, the undersigned authority, on this day personally appeared Corey Boyer, Officer of Mulberry Fields, LLC, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 202____.

Notary Public in and for the State of Texas

My Commission Expires _____
Notary Public

APPROVED this ____ day of _____, 202____, by the Planning and Zoning Commission, City of Angleton, Texas.

Chairman, Planning and Zoning Commission

City Secretary

APPROVED this ____ day of _____, 202____, by the City Council, City of Angleton, Texas.

Mayor

City Secretary

STATE OF TEXAS:
COUNTY OF BRAZORIA:

This instrument was acknowledged before me on the ____ day of _____, 202____, by _____, City Secretary, City of Angleton, on behalf of the City.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 202____.

Notary Public in and for the State of Texas

My Commission Expires _____
Notary Public

STATE OF TEXAS:
COUNTY OF BRAZORIA:

This plat is hereby adopted by the owners (called 'Owners') and approved by the City of Angleton, ('City') subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successor, and assigns:

'Drainage Easements' shown on the plat are reserved for drainage purposes forever, and the maintenance of the drainage easements shall be provided by all of the owners of lots in the subdivision by and through a lawfully created homeowners association to be created by the Owners. The Owners covenant and agree that such a homeowners association (called 'Association') shall be created prior to the final acceptance of the City. All Association documents shall be subject to the approval of the City and shall specifically contain covenants binding the Association to continuously maintain all Drainage Easements. Such covenants shall not relieve the individual lot owners of the responsibility to maintain the Drainage Easements should the Association default in the performance of its maintenance responsibility. The Association documents shall also contain provisions that they may not be amended with regard to the Drainage Easement maintenance responsibilities without the approval of the City. The fee simple title to all Drainage Easements shall always remain in the Association.

The City and Angleton Drainage District are not responsible for the maintenance and operation of said easements or for any damage or injury to private property or person that results from the flow of water along said easement or for the control of erosion, but reserves the right to use enforcement powers to ensure that drainage easements are properly functioning in the manner in which they were designed and approved.

The City and Angleton Drainage District reserves the right, but not the obligation, to enter upon any Drainage Easement at any point, or points, with all rights of ingress and egress, to investigate, survey, erect, construct, or maintain any drainage facility deemed necessary by the City for drainage and safety purposes.

The Owners shall keep all Drainage Easements clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City of Angleton or Angleton Drainage District shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Owners to alleviate any public health or safety issues.

The Association hereby agrees to indemnify and hold harmless the City from any such damages and injuries.

STATE OF TEXAS:
COUNTY OF BRAZORIA:

This plat is hereby adopted by the Owners and approved by the City of Angleton (called 'City') subject to the following conditions which shall be binding upon the Owners, their heirs, grantees and successors: The portion of Block 1, as shown on the plat is called 'Drainage and Detention Easement.' The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The City will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of stormwater run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Detention Easement as hereinabove defined, unless approved by the City Engineer. Provided, however, it is understood that in the event it becomes necessary for the City to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by the City shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure, or structures, within the Easement.

NOTES:

- 1.) BEARINGS AND COORDINATES SHOWN HEREON ARE SURFACE, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NO. 4204, NAD 83), AS OBTAINED FROM THE CITY OF HOUSTON C.O.R.S. SYSTEM, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99990556439.
- 2.) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 48039-C-0440K EFFECTIVELY DATED DECEMBER 30, 2020, THIS PROPERTY LIES IN ZONE "X", AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- 3.) ● - INDICATES A SET 5/8" IRON ROD WITH CAP STAMPED: T.E.A.M. - 281-491-2525, UNLESS OTHERWISE NOTED.
- 4.) RESERVE "A" AND "B", SHOWN HEREON THIS PLAT, WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
- 5.) SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 6.) PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 7.) THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
- 8.) APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.
- 9.) ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
- 10.) SIDEWALKS SHALL BE REQUIRED IN ALL LOCATIONS THAT ADJOIN PUBLIC STREETS ON BOTH SIDES OF STREETS IN ALL NEW PLATS, EXCLUDING MINOR PLATS, IN THE CITY AND THE ET. U.

STATE OF TEXAS :
COUNTY OF BRAZORIA:

KNOW ALL MEN BY THESE PRESENTS:

That I, Dinh V. Ho, do hereby certify that proper engineering consideration has been provided in this plat. To the best of my knowledge, this plat conforms to all requirements of the Angleton LDC, except for any variances that were expressly granted by the City Council.

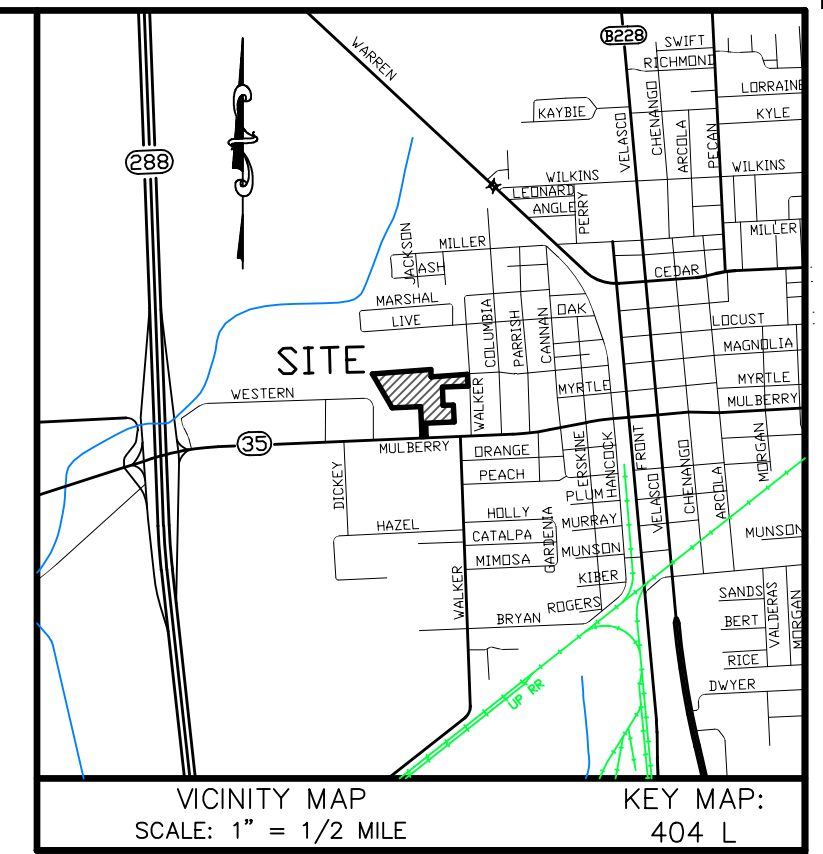
Dinh V. Ho, P.E.
Texas Registration No. 93895
2114 El Dorado Boulevard, Suite 400,
Friendswood, Texas 77546

STATE OF TEXAS :
COUNTY OF BRAZORIA:

KNOW ALL MEN BY THESE PRESENTS:

That I, Robert Chris Kelly, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my supervision.

Robert Chris Kelly, R.P.L.S.
Texas Registration No. 6833
12718 Century Drive,
Stafford, Texas 77477



ANGLETON DRAINAGE DISTRICT

Angleton Drainage District accepted this the ____ day of _____, 202____. The board of supervisors of the Angleton Drainage District does not warrant, represent, or guarantee

- 1. That the facilities outside the boundaries of the subdivision are available to receive runoff from the facilities in this plat.
- 2. That drainage facilities described in this plat are adequate for rainfall in excess of Angleton Drainage District minimum requirements.
- 3. That building elevation requirements have been determined by the Angleton Drainage District.
- 4. That the District assumes any responsibility for construction, operation, or maintenance of subdivision drainage facilities.

The districts review is based solely on the documentation submitted for review, and on the reliance of the report submitted by the Texas Registered Professional Engineer.

The District's review is not intended nor will serve as a substitution of the overall responsibility and or decision making power of the party submitting the plan or plan herein, their or its principals and agents.

Chairman, Board of Supervisors Board Member

Board Member

FINAL PLAT OF MULBERRY FIELDS SUBDIVISION

A SUBDIVISION OF A 13.0044 ACRE TRACT OF LAND
IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO.
380, IN THE M. C. TOBIN SURVEY, ABSTRACT NO.
699, AND IN THE H. H. CORNWALL SURVEY,
ABSTRACT NO. 180, CITY OF ANGLETON,
BRAZORIA COUNTY, TEXAS

41 LOTS 2 RESERVES 3 BLOCKS

~ OWNER ~
MULBERRY FIELDS, LLC
a Texas limited liability company
12618 Rolling Valley Drive
Cypress, Texas 77429
PHONE: 832.525.1633

~ SURVEYOR ~
MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
12718 Century Drive
Stafford, Texas 77477
281.491.2525
www.mckimcreed.com
TBPELS Firm Registration No. 10177600
Job No. 1486-3
NOVEMBER 30, 2023

METES AND BOUNDS

A FIELD NOTE DESCRIPTION of a 13.0044 acre (566,471 square feet) tract of land in the J. De J. Valderas Survey, Abstract No. 380, in the M. C. Tobin Survey, Abstract No. 699, and in the H. H. Cornwall Survey, Abstract No. 180, City of Angleton, Brazoria County, Texas; said 13.0044 acre tract being that same tract of land conveyed to Mulberry Field LLC, as recorded in Brazoria County Clerk's File No. 2021037827; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) and GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 1/2-inch iron rod found in the northeast right-of-way line of Heritage Drive (width varies), according to the map or plat recorded in Volume 20, Page 211 of the Brazoria County Plat Records for the northwest corner of an original 20.751 acre tract of land, as recorded in Volume 1090, Page 796 of the Brazoria County Deed Records, for the southwest corner of a 13.203 acre tract of land conveyed to Community Public Service Company, as recorded in Volume 1467, Page 234 of the Brazoria County Deed Records, and for the northwest corner of this tract; from which a 1/2-inch iron rod found bears North 46° 52' 31" West - 332.07 feet (called North 45° 00' 18" West - 332.03 feet per Volume 1467, Page 234 of the Brazoria County Deed Records); POINT OF BEGINNING (P.O.B.):

THENCE, North 85° 46' 46" East - 807.91 feet (called North 88° 04' East - 808.25 feet per Brazoria County Clerk's File No. 2021037827) with the north line of said 20.751 acre tract and with the south line of said 13.203 acre tract to a 5/8-inch iron rod with aluminum cap stamped "NP" found for the northwest corner of a 1.1478 acre tract of land conveyed to Texas-New Mexico Power Company, as recorded in Volume 362, Page 838 of the Brazoria County Deed Records; for a northeast corner of this tract;

THENCE, South 02° 26' 18" East - 99.83 feet (called South 00° 06' 57" East - 99.86 feet per Brazoria County Clerk's File No. 2021037827) with the north line of said 20.751 acre tract and with the south line of said 13.203 acre tract to a 5/8-inch iron rod with aluminum cap stamped "NP" found for the northwest corner of a 1.1478 acre tract of land conveyed to Texas-New Mexico Power Company, as recorded in Volume 362, Page 838 of the Brazoria County Deed Records; for a northeast corner of this tract;

THENCE, North 85° 44' 50" East - 499.94 feet (called North 88° 03' 44" East - 499.92 feet per Brazoria County Clerk's File No. 2021037827) (called North 85° 04' 00" East - 500.00 feet per Volume 362, Page 838 of the Brazoria County Deed Records) with the south line of said 1.1478 acre tract to a 5/8-inch iron rod with aluminum cap stamped "NP" found in the west right-of-way line of Walker Street (width varies) and in the east line of said 20.751 acre tract for the southeast corner of said 1.1478 acre tract and for a northeast corner of this tract;

THENCE, South 02° 20' 40" East - 164.41 feet (called South 00° 04' 17" East - 164.36 feet per Brazoria County Clerk's File No. 2021037827) with the west right-of-way line of said Walker Street and with the east line of said 20.751 tract to a 1/2-inch iron pipe found inside a 2-inch PVC pipe for the northeast corner of Reserve "B", Block 1, Short Form Plat Communication Tower, according to the map or plat recorded in Volume 21, Page 189 of the Brazoria County Plat Records and for a southeast corner of this tract;

THENCE, South 87° 41' 11" West - 350.24 feet (called North 89° 58' 33" West - 350.50 feet per Brazoria County Clerk's File No. 2021037827) (called West - 350.54 feet per Volume 21, Page 189 of the Brazoria County Plat Records) with the north line of said Reserve "B" to a 1/2-inch iron rod found for the northwest corner of said Reserve "B" and for an interior corner of this tract;

THENCE, South 02° 13' 37" East - 249.99 feet (called South 00° 02' 04" West - 250.00 feet per Brazoria County Clerk's File No. 2021037827) (called South - 249.96 feet per Volume 21, Page 189 of the Brazoria County Plat Records) with the west line of said Reserve "B" and with the west line of Reserve "A" (Communication Tower Tract) of said Short Form Plat Communication Tower to a 5/8-inch iron rod with cap stamped "COTTON" found for the southeast corner of said Reserve "A" and for an interior corner of this tract;

THENCE, North 87° 41' 44" East - 142.02 feet (called South 89° 57' 11" East - 141.97 feet per Brazoria County Clerk's File No. 2021037827) with the south line of said Reserve "A" to a 1/2-inch iron rod with cap stamped "PINPOINT" found for an interior corner of said 20.751 acre tract, for the northeast corner of a 1.00 acre tract of land conveyed to HED Properties, LLC, as recorded in Brazoria County Clerk's File No. 2010004582, and for a northeast corner of this tract;

THENCE, South 02° 20' 54" East - 233.55 feet (called South 00° 03' 51" East - 233.72 feet per Brazoria County Clerk's File No. 2021037827) with the east line of said 20.751 acre tract; with the west line of said 1.00 acre HED Properties, LLC tract, and with the west line of a 1.00 acre tract of land conveyed to J. Angel Hernandez, et ux, as recorded in Brazoria County Clerk's File No. 2013050912 to a 1/2-inch iron rod with cap stamped "RPLS 2112" found for a southeast corner of this tract; from which a 1/2-inch iron rod with cap stamped "RPLS 2112" found in the north right-of-way line of State Highway 35 (West Mulberry Street) (width varies) for a southeast corner of said 20.751 acre tract and for the southwest corner of said 1.00 acre Hernandez tract bears South 02° 20' 54" East - 183.36 feet;

THENCE, South 87° 03' 34" West - 392.00 feet (called South 89° 14' 32" West - 392.09 feet per Brazoria County Clerk's File No. 2021037827) to a 1/2-inch iron rod with cap stamped "2112" found for an interior corner of this tract;

THENCE, South 02° 10' 40" East - 178.81 feet (called South 00° 02' 09" West - 178.77 feet per Brazoria County Clerk's File No. 2021037827) to a 1/2-inch iron rod with cap stamped "RPLS 2112" found in the north right-of-way line of said State Highway 35 and in the south line of said 20.751 acre tract for the southeast corner of this tract;

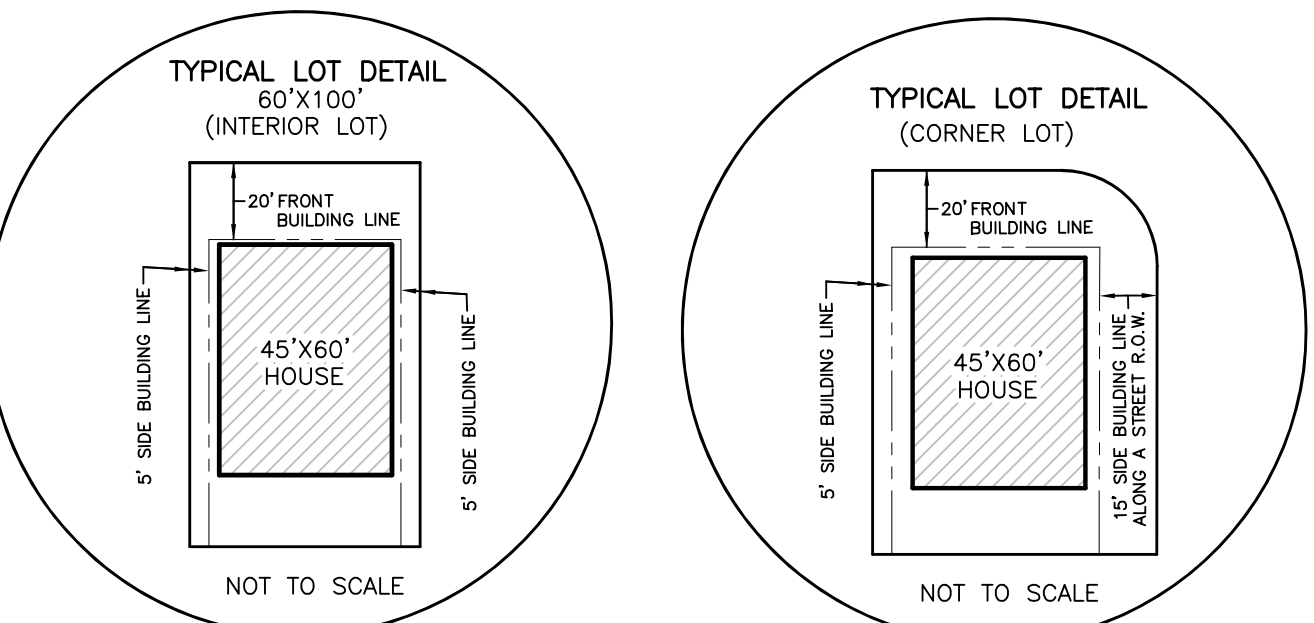
THENCE, South 87° 43' 31" West - 60.00 feet (called North 89° 57' 50" West - 60.00 feet per Brazoria County Clerk's File No. 2021037827) with the north right-of-way line of said State Highway 35 and with the south line of said 20.751 acre tract to a 4-inch by 4-inch concrete monument found for a southwest corner of said 20.751 acre tract and for a southwest corner of this tract;

THENCE, North 02° 46' 23" West - 7.95 feet (called North 00° 21' 33" West - 7.81 feet per Brazoria County Clerk's File No. 2021037827) with a jog in the north right-of-way line of said State Highway 35 and with a west line of said 20.751 acre tract to a 4-inch by 4-inch concrete monument found for the southeast corner of a 2.97 acre tract of land conveyed to Tiny Treasures Learning Center, Inc., as recorded in Brazoria County Clerk's File No. 2000046058 and for an angle point of this tract; from which a 1/2-inch iron rod found for a southwest corner of said 2.97 acre tract and for a southwest corner of said 20.751 acre tract bears South 89° 01' 43" West - 208.13 feet (called North 89° 36' 58" West - 208.35 feet per Brazoria County Clerk's File No. 2000046058) (called West - 208.56 feet per Volume 1090, Page 796 of the Brazoria County Deed Records);

THENCE, North 02° 10' 20" West - 402.32 feet (called North 00° 02' 44" East - 402.37 feet per Brazoria County Clerk's File No. 2021037827) (called North 0° 02' 13" East - 402.41 feet per Brazoria County Clerk's File No. 2000046058) with the east line of said 2.97 acre tract to a 1/2-inch iron rod found for the northeast corner of said 2.97 acre tract and for an interior corner of this tract;

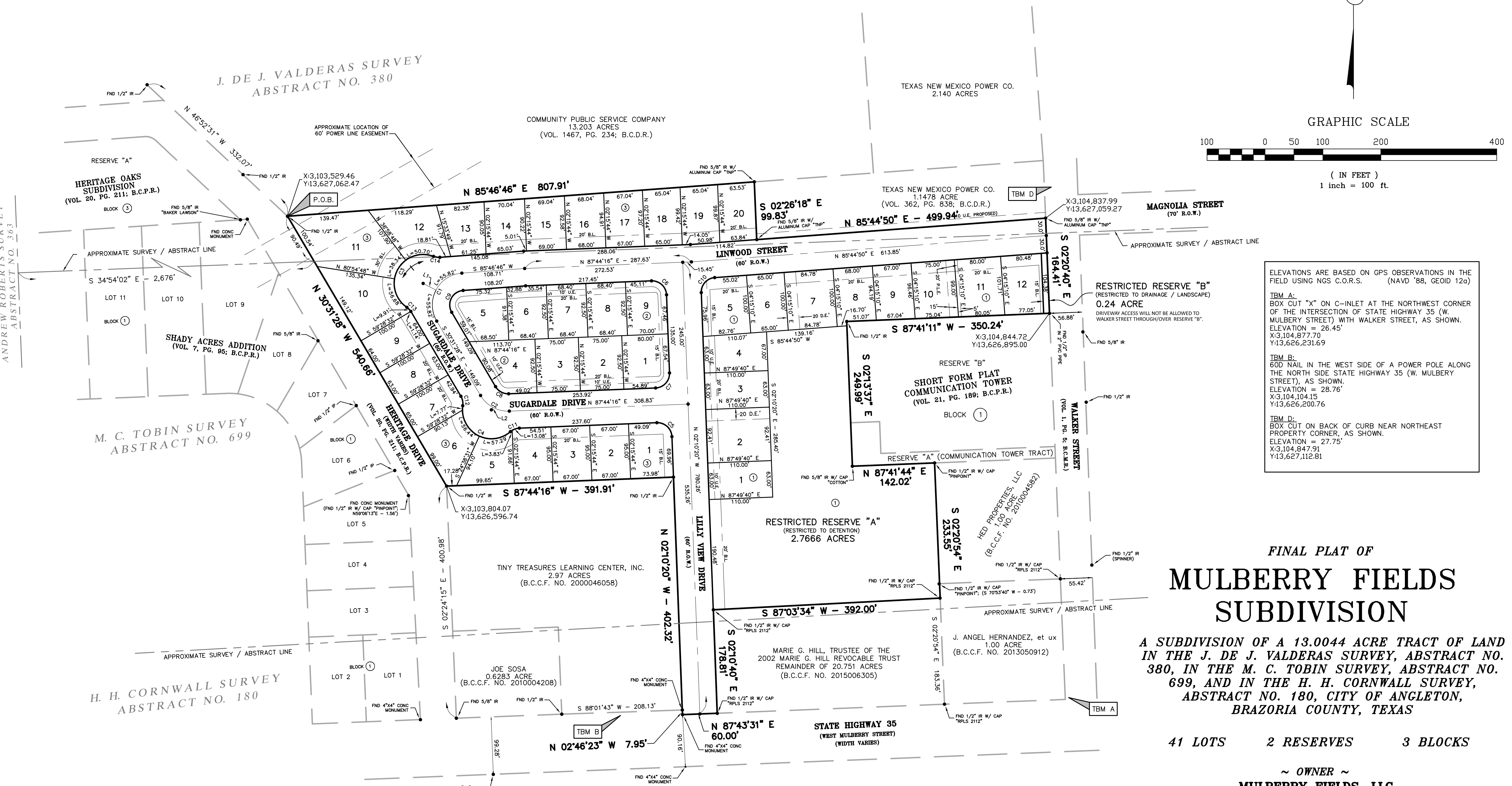
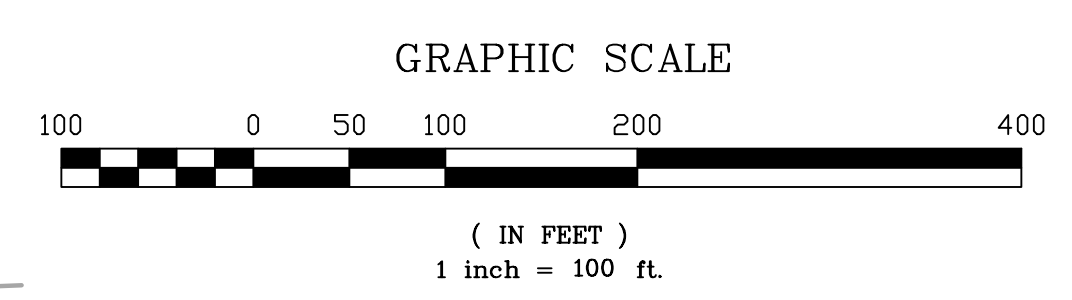
THENCE, South 87° 44' 16" West - 391.91 feet (called North 89° 59' 46" West - 391.46 feet per Brazoria County Clerk's File No. 2021037827) (called North 89° 59' 38" West - 391.46 feet per Brazoria County Clerk's File No. 2000046058) with the north line of said 2.97 acre tract to a 1/2-inch iron rod found in the east right-of-way line of said Heritage Drive for an angle point of said 20.751 acre tract, for the northwest corner of said 2.97 acre tract, and for a southwest corner of this tract; from which a 5/8-inch iron rod found at the intersection of the east right-of-way line of said Heritage Drive with the north right-of-way line of said State Highway 35 bears South 02° 24' 15" East - 400.98 feet;

THENCE, North 30° 31' 28" West - 540.66 feet (called North 28° 17' West - 541.04 feet per Volume 1090, Page 796 of the Brazoria County Deed Records) (called North 28° 15' 19" West - 540.89 feet per Brazoria County Clerk's File No. 2021037827) with the northeast right-of-way line of said Heritage Drive and with the southwest line of said 20.751 acre tract to the POINT OF BEGINNING and containing 13.0044 acres (566,471 square feet) of land.



LINE TABLE and CURVE TABLE with columns for CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, and DELTA ANGLE.

- LEGEND: B.L. - BUILDING LINE, B.C.C.F. - BRAZORIA COUNTY CLERK'S FILE, B.C.D.R. - BRAZORIA COUNTY DEED RECORDS, B.C.P.R. - BRAZORIA COUNTY PLAT RECORDS, CONC - CONCRETE, D.E. - DRAINAGE EASEMENT, FND - FOUND, IRN - IRON PIPE, IR - IRON ROD, N - NUMBER, PG. - PAGE, P.L.E. - POWER LINE EASEMENT, P.O.B. - POINT OF BEGINNING, R.D.W. - RIGHT OF WAY, SQ. FT. - SQUARE FEET, TBM - TEMPORARY BENCHMARK, U.E. - UTILITY EASEMENT, VOL. - VOLUME, W/ - WITH, etc.



ELEVATIONS ARE BASED ON GPS OBSERVATIONS IN THE FIELD USING NGS C.O.R.S. (NAVD '88, GEOID 12a)
TBM A: BOX-CUT "X" ON C-INLET AT THE NORTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY 35 (W. MULBERRY STREET) WITH WALKER STREET, AS SHOWN. ELEVATION = 26.45'
TBM B: 60D NAIL IN THE WEST SIDE OF A POWER POLE ALONG THE NORTH SIDE STATE HIGHWAY 35 (W. MULBERRY STREET), AS SHOWN. ELEVATION = 28.76'
TBM C: BOX-CUT ON BACK OF CURB NEAR NORTHEAST PROPERTY CORNER, AS SHOWN. ELEVATION = 27.75'
TBM D: 60D NAIL IN THE WEST SIDE OF A POWER POLE ALONG THE NORTH SIDE STATE HIGHWAY 35 (W. MULBERRY STREET), AS SHOWN. ELEVATION = 28.76'
X3,104,877.70
Y13,626,231.69
X3,104,104.15
Y13,626,200.76
X3,104,847.91
Y13,627,112.81

FINAL PLAT OF MULBERRY FIELDS SUBDIVISION
A SUBDIVISION OF A 13.0044 ACRE TRACT OF LAND IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380, IN THE M. C. TOBIN SURVEY, ABSTRACT NO. 699, AND IN THE H. H. CORNWALL SURVEY, ABSTRACT NO. 180, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS

41 LOTS 2 RESERVES 3 BLOCKS
OWNER: MULBERRY FIELDS, LLC
a Texas limited liability company
12618 Rolling Valley Drive
Cypress, Texas 77429
PHONE: 832.525.1633

SURVEYOR: MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
12718 Century Drive
Stafford, Texas 77477
281.491.2525
www.mckimcreed.com
TBPES Firm Registration No. 10177600

LOT AREA TABLE with columns for LOT #, AREA, and Sq. Feet for lots 1 through 20.

STREET INFORMATION TABLE with columns for NAME, LENGTH, and TYPE for streets like Linwood Street, Lully View Drive, and Sugardale Drive.