



# City of Montgomery Planning and Zoning Commission Regular Meeting Agenda

July 01, 2025 at 6:00 PM  
Montgomery City Hall – Council Chambers  
101 Old Plantersville Rd. Montgomery, TX 77316

**NOTICE IS HEREBY GIVEN** that a Regular Meeting of the Planning and Zoning Commission will be held on **Tuesday, July 01, 2025 at 6:00 PM** at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

Members of the public may view the meeting live on the City's website under Agenda/Minutes and then select **Live Stream Page (located at the top of the page)**. The Meeting Agenda Pack will be posted online at [www.montgomerytexas.gov](http://www.montgomerytexas.gov). The meeting will be recorded and uploaded to the City's website.

## **OPENING AGENDA**

1. Call meeting to order.
2. Pledges of Allegiance.

## **PUBLIC FORUM:**

The Planning and Zoning Commission will receive comments from the public on any matters within the jurisdiction of the Commission. Speakers will be limited to three (3) minutes each. Persons wishing to participate (speak) during the Public Forum portion of the meeting must sign-in to participate prior to the meeting being called to order. Please note that discussion, if any, on subjects for which public notice has not been given, are limited to statements of specific factual responses and recitation of existing policy.

## **REGULAR AGENDA**

All items on the Regular Agenda are for discussion and/or action.

3. Administration of Statement of Officer and Oath of Office to the newly appointed official for the Planning & Zoning Commission for Place 5.
4. Consideration and possible action on the election of Vice Chairman.
5. Consideration and possible action on the P&Z Regular Meeting Minutes of June 11, 2025.
6. Update regarding the approved installation of a roof over the existing patio area located at 14335 Liberty Street in the Historic Preservation District.
7. Consideration and possible action regarding the proposed replacement of existing posts at 14420 Liberty Street.
8. Consideration and possible action regarding a request for a special use permit for a financial facility with two drive-through lanes and a dedicated lane for a drive up ATM at 19940 Eva Street (legal description: S725900 - Montgomery First, BLOCK 1, RES C-1, ACRES 1.1681).
9. Consideration and possible action to call a Public Hearing on a rezoning request related to 58.952-acre Tract 1 located in the Zacharias Landrum Survey, Abstract 22 currently zoned within a mix of R-Residential, I-Institutional and C-Commercial to be rezoned I-Institutional as submitted by Lone Star Cowboy Church (Dev. No. 2407).

- 10.** Consideration and possible action to call a Public Hearing on a rezoning request replated to 12.15-acres of the Tract 2-G, John Corner Survey, Abstract 8 currently zoned PD-Planned Development and C-Commercial to be rezoned R2-Multi-family Residential as submitted by BCS Capital, LLC (Dev. No. 2415).

### **COMMISSION INQUIRY**

Pursuant to Texas Government Code Sect. 551.042 the Planning & Zoning Commission may inquire about a subject not specifically listed on this Agenda. Responses are limited to recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

### **CLOSING AGENDA**

- 11.** Items to consider for placement on future agendas.

- 12.** Adjourn.

The Planning & Zoning Commission 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 the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), and 551.087 (Deliberation regarding Economic Development Negotiations).

I, Ruby Beaven, City Secretary, the Undersigned Authority, do hereby certify that this notice of meeting was posted on the website and bulletin board at City Hall of the City of Montgomery, Texas, a place convenient and readily accessible to the general public at all times. This notice was posted at said locations on the following date and time: **June 27, 2025 by 4:30 PM** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting. I further certify that the following news media was notified of this meeting as stated above: The Courier

/s/ Ruby Beaven

City Secretary

This public notice was removed from the official posting board at the Montgomery City Hall on the following:

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

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

City Secretary's Office  
City of Montgomery, Texas

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*This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.*

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Planning & Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b>

**Subject**

Administration of Statement of Officer and Oath of Office to the newly appointed official for the Planning & Zoning Commission for Place 5.

**Recommendation**

The Statement of Officer form must be executed before taking the Oath of Office.

Article XVI §1, Texas Constitution prescribes an oath that all officers must take before they enter upon the duties of their offices.

**Discussion**

Recommendation for the newly appointed official to complete the Statement of Officer form and Oath of Office form and file a copy of the forms with the City of Montgomery City Secretary's Office.

**Approved By**

City Administrator	Brent Walker	Date: 06/25/2025
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## Form 2201 - Statement of Officer (General Information)

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

### **Execution and Delivery Instructions**

A Statement of Officer required to be filed with the Office of the Secretary of State is considered filed once it has been received by this office.

**Mail:** P.O. Box 12887, Austin, Texas 78711-2887.

**Overnight mail or hand deliveries:** James Earl Rudder Officer Building, 1019 Brazos, Austin, Texas 78701.

**Fax:** (512) 463-5569.

**Email:** Scanned copies of the executed Statement may be sent to [register@sos.texas.gov](mailto:register@sos.texas.gov)

*NOTE: The Statement of Officer form, commonly referred to as the “Anti-Bribery Statement,” must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).*

### **Commentary**

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. For more information, see Op. Tex. Att’y Gen. No. JC-0575 (2002) (determining the meaning of “state officer” as it is used in Article XVI).

Effective September 1, 2017, Senate Bill 1329, which was enacted by the 85<sup>th</sup> Legislature, Regular Session, amended chapter 602 of the Government Code to require the following judicial officers and judicial appointees to file their oath and statement of officer with the secretary of state:

Officers appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas; and  
Associate judges appointed under Subchapter B or C, Chapter 201, Family Code.

Local officers must retain the signed anti-bribery statement with the official records of the office. *As a general rule, city and county officials do not file their oath of office with the Secretary of State— these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office.* **The Office of the Secretary of State does NOT file Statements or Oaths from the following persons:** Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges, County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD’s).

***Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or [register@sos.texas.gov](mailto:register@sos.texas.gov)***

Revised 05/2020

**Form #2201 Rev. 05/2020**  
**Submit to:**  
**SECRETARY OF STATE**  
**Government Filings**  
**Section P O Box 12887**  
**Austin, TX 78711-2887**  
**512-463-6334**  
**512-463-5569 - Fax**  
**Filing Fee: None**



## STATEMENT OF OFFICER

## Statement

I, Jeff Glaser, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Planning & Zoning Commision Board Member Place 5

## Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 07/01/2025

Signature of Officer

Print

**Reset**

## Form 2204 - Oath of Office (General Information)

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

### **Execution and Delivery Instructions**

An Oath of Office that is required to be filed with the Office of the Secretary of State is considered filed once it has been received by this office. The Oath of Office may be administered to you by a person authorized under the provisions of Chapter 602 of the Texas Government Code. Authorized persons commonly used to administer oaths include notaries public and judges.

**Mail:** P.O. Box 12887, Austin, Texas 78711-2887.

**Overnight mail or hand deliveries:** James Earl Rudder Officer Building, 1019 Brazos, Austin, Texas 78701.

**Fax:** (512) 463-5569. If faxed, the original Oath should also be mailed to the appropriate address above.

**Email:** Scanned copies of the executed Oath may be sent to [register@sos.texas.gov](mailto:register@sos.texas.gov). If sent by email, the original Oath should also be mailed to the appropriate address above.

**NOTE:** *Do not have the Oath of Office administered to you before executing and filing the Statement of Officer (Form 2201 – commonly referred to as the “Anti-Bribery Statement”) with the Office of the Secretary of State.*

### **Commentary**

Pursuant to art. XVI, Section 1 of the Texas Constitution, the Oath of Office *may not* be taken until a Statement of Officer (see Form 2201) has been subscribed to and, as required, filed with the Office of the Secretary of State. Additionally, gubernatorial appointees who are appointed during a legislative session *may not* execute their Oath until after confirmation by the Senate. Tex. Const. art. IV, Section 12.

### ***Officers Required to File Oath of Office with the Secretary of State:***

Gubernatorial appointees

District attorneys

Appellate and district court judges

Officers appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas

Associate judges appointed under subchapter B or C, chapter 201 of the Texas Family Code

Directors of districts operating pursuant to chapter 36 or 49 of the Texas Water Code file a duplicate original of their Oath of Office within 10 days of its execution. Texas Water Code, Sections 36.055(d) and 49.055(d)

### ***Officers Not Required to File Oath of Office with the Secretary of State:***

Members of the Legislature elected to a *regular* term of office will have their Oath of Office administered in chambers on the opening day of the session and recorded in the appropriate Journal. Members elected to an *unexpired* term of office should file their Oath of Office with either the Chief Clerk of the House or the Secretary of the Senate, as appropriate.

All other persons should file their Oaths locally. Please check with the county clerk, city secretary or board/commission secretary for the proper filing location.

*As a general rule, city and county officials do not file their oath of office with the Secretary of State—these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office.*

**The Office of the Secretary of State does NOT file Statements or Oaths from the following persons:** Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges (*except County Court of Law Judges who file with the Elections Division*), County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD's). Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions.


All state or county officers, other than the governor, lieutenant governor, and members of the legislature, who qualify for office, are commissioned by the governor. Tex. Gov't Code, Section 601.005. The Secretary of State performs ministerial duties to administer the commissions issued by the governor, including confirming that officers are qualified prior to being commissioned. Submission of this oath of office to the Office of the Secretary of State confirms an officer's qualification so that the commission may be issued.

*Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or [register@sos.texas.gov](mailto:register@sos.texas.gov).*

*Revised 9/2017*

**Form #2204    Rev 9/2017**  
**Submit to:**  
**SECRETARY OF STATE**  
**Government Filings Section**  
**P O Box 12887**  
**Austin, TX 78711-2887**  
**512-463-6334**  
**FAX 512-463-5569**  
**Filing Fee: None**

This space reserved for office use

  
**OATH OF OFFICE**

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Jeff Glaser, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Planning & Zoning Commision Board Member Place 5 of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

\_\_\_\_\_  
Signature of Officer

Certification of Person Authorized to Administer Oath

State of \_\_\_\_\_  
County of \_\_\_\_\_

Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Affix Notary Seal,  
only if oath  
administered by a  
notary.)

\_\_\_\_\_  
Signature of Notary Public or  
Signature of Other Person Authorized to Administer An  
Oath

\_\_\_\_\_  
Printed or Typed Name

Planning & Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b>

**Subject**

Consideration and possible action on the election of Vice Chairman.

**Recommendation**

Nominate and elect a Vice Chairman

**Discussion**

Tabled from June 11, 2025 Planning & Zoning (P&Z) meeting.

City Council appointed Jeff Glaser to the P&Z Board Seat 5 at the June 24, 2025 meeting.

With the most recent vacancy of Seat 5 the Commission lost the Vice Chairman. The Board of Directors need to elect a Vice Chairman to complete the term till October 2025 at which point will be up for the annual appointment again.

Selecting the Vice-Chairperson allows for someone to serve as an alternate if the Chairperson cannot attend the meeting.

Any Board of Director member, currently serving, is eligible to serve in this role. City staff carry out the duties of Secretary by keeping minutes and preparing reports and recommendations to City Council. Should the Commission decide to appoint a Secretary (or other officers), the duties of the position would remain the responsibility of City staff.

**Approved By**

City Administrator	Brent Walker	Date: 06/25/2025
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Planning & Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b>

**Subject**

Consideration and possible action on the P&Z Regular Meeting Minutes of June 11, 2025.

**Recommendation**

Staff recommend approval of the meeting minutes, as presented.

**Discussion**

Please see the accompanying minutes:

P&Z Regular Meeting Minutes of June 11, 2025

**Approved By**

City Administrator	Brent Walker	Date: 06/25/2025
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**City of Montgomery  
Planning and Zoning Commission  
Regular Meeting Agenda  
June 11, 2025**

**OPENING AGENDA**

**1. Call meeting to order.**

Chairman Simpson called the meeting to order at 6:00 p.m.

Present: Commission Members: John Fox, Daniel Gazda, Merriam Walker  
and Chairman Bill Simpson

Absent: None

**2. Pledges of Allegiance.**

Chairman Simpson led the Pledge of Allegiance and Pledge of Allegiance to the Texas State Flag.

**PUBLIC FORUM:**

Cheryl Fox, 821 Stewart Street, addressed the Commission to request that no action be taken on the Special Use Permit for a fast food restaurant currently under consideration, citing a public hearing scheduled for the 24th and noting that no noticeable traffic impact has been observed or permission granted from the adjacent store for additional access. She emphasizes her desire to wait for further developments before any decision is made.

**REGULAR AGENDA**

**3. Consideration and possible action on the election of Vice Chairman.**

The Commission Members discussed the election of a new Vice Chair, following Tom Czulewicz's departure from the position, with questions about the potential for a fifth member to join the board and the timing of that appointment, which is linked to item four on the agenda. Commission Member Walker expressed interest in considering a specific individual for the Board of Director recommendation and suggested voting on that person first before collectively deciding on the Vice Chair, emphasizing the importance of filling the Vice Chair position promptly.

**Motion:** Commission Member Walker made a motion to TABLE the item until the July 01, 2025 meeting. Commission Member Gazda seconded the motion. Motion carries with all present voting in favor.

**4. Consideration and possible action regarding the Board of Directors.**

Jeff Glazer, addressed the Commission in reference to volunteering for a position on the Planning and Zoning Commission for the Board of Directors vacancy. He explained he is a resident with prior law enforcement experience and familiarity with the city.

The Commission unanimously nominated Jeff Glazer for a recommendation for an appointment to go to the city council for final approval.

**Motion:** Commission Member Gazda made a motion to recommend approval of the request to the City Council. Commission Member Fox seconded the motion. Motion carries with all present voting in favor.

**5. Update on request for special use permit for a temporary construction/sales trailer at The Hills of Town Creek, 235 South Rose Marie Lane.**

Code Enforcement Officer/Planning Administrator Corinne Tilley presented the update on the Special Use Permit for the construction sales trailer at Town Hills of Town Creek. The City Council initially approved the permit, scheduled a public hearing for May 20th, but then canceled the hearing after the model home was completed in time, allowing sales staff to use it instead of the trailer.

No action taken.

**6. Consideration and possible action on the Regular Meeting Minutes of May 06, 2025.**

**Motion:** Commission Member Gazda made a motion to approve the Regular Meeting Minutes of May 06, 2025. Commission Member Fox seconded the motion. Motion carries with all present voting in favor.

**7. Consideration and possible action regarding follow up documents submitted in support of the approved installation of a roof over the existing patio area located at 14335 Liberty Street in the Historic Preservation District.**

Code Enforcement Officer/Planning Administrator Corinne Tilley presented the follow-up on the installation of a roof over the patio at 14335 Liberty Street in the historic district, with progress made on verifying material specifications, permits, and inspections. They agreed to wait for the building inspector's review of the proposed roofing materials and plans, including the use of commercial-grade panels, before making a final decision, and thus, they motioned to table item number seven until further information is received.

**Motion:** Commission Member Walker made a motion to TABLE the item until July 01, 2025 meeting. Commission Member Gazda seconded the motion. Motion carries with all present voting in favor.

**8. Consideration and possible action regarding a request for a special use permit for a fast-food restaurant with drive-through service at 21049 Eva Street.**

Code Enforcement Officer/Planning Administrator Corinne Tilley presented the follow-up request for a special use permit for a fast-food drive-thru restaurant at 211-049 Eva Street, citing the absence of a traffic impact analysis as required and non-compliance with the city's comprehensive plan. The Commission discussed recommendation for denial to be forwarded to the City Council, emphasizing adherence to planning guidelines and the need for proper documentation before approval.

**Motion:** Commission Member Gazda made a motion to recommend to deny to the City Council for absence of requested information. Commission Member Walker seconded the motion. Motion carries with all present voting in favor.

**9. Consideration and possible action regarding the installation of five new business signs (four wall and one hanging post sign) located at 21012 Eva Street in the Historic Preservation District.**

Code Enforcement Officer/Planning Administrator Corinne Tilley presented the installation of five new signs at 211-012 Eva Street in the historic district, noting that while the signs meet signage limits, concerns were raised about the sidewalk-hanging sign's location, weather durability, and its compatibility with the historic aesthetic. The Commission agreed to proceed with the signs, with a request to convert the hanging sign into a monument sign in the future, emphasizing the importance of maintaining the district's preservation standards.

**Motion:** Commission Member Gazda made a motion to approve the installation of five new business signs (four wall and one hanging post sign) located at 21012 Eva Street in the Historic Preservation District with the caveat to convert the hanging sign into a monument sign in the future. Commission Member Fox seconded the motion. Motion carries with 3-Ayes and 1-Nay vote by Commission Member Walker.

**10. Consideration and possible action regarding a proposal to make improvements to a property located at 826 College Street, in the Historic Preservation District.**

The Commission and the property owner discussed and stage one improvements for 826 College Street, including landscaping, a two-tier cedar deck with weather treatment, gutters, rain barrels, fencing, a garden, and tree removal, with emphasis on maintaining historical integrity and safety. They also agreed to review details about the dead trees and the potential for a small dry riverbed to manage water flow, while encouraging parking in the driveway and grass areas to reduce street congestion. The Commission agreed unanimously to stage one improvement, approving the proposed modifications with conditions for further information on tree removal.

**Motion:** Commission Member Walker made a motion approving the request to make improvements to a property located at 826 College Street, in the Historic Preservation District with conditions for further information on tree removal. Commission Member Gazda seconded the motion. Motion carries with all present voting in favor.

**11. Consideration and possible action on the variance request related to the required utility easement and vegetative setback for the HEB development (Dev. No. 2402).**

Chris Roznosky, WGA City Engineer, addressed the Commission and reviewed the variance requests for the HEB Development No. 2402, including relief from utility easements to keep utilities in the TxDOT right-of-way, a reduction of the landscape setback from 25 to 20 feet due to retaining walls, and other associated modifications. They discussed the utility placement, traffic flow, and site design details, including the proposed entrance points and truck movement plans, emphasizing safety and compliance with regulations. The motion to recommend approval of these variances to the City Council was approved, with the understanding that further coordination with TxDOT and adherence to future permits will be necessary.

**Motion:** Commission Member Gazda made a motion to approve the variance request related to the required utility easement and vegetative setback for the HEB development (Dev. No. 2402). Commission Member Walker seconded the motion. Motion carries with all present voting in favor.

**12. Consideration and possible action on the acceptance of the Bi-Annual Water and Wastewater Impact Fees.**

Chris Roznosky, WGA City Engineer, addressed the Commission, acting as the Capital Impact Advisory Commission, and reviewed the updated bi-annual water and wastewater impact fees,

which reflect an approximately 17% increase driven by rising project costs and increased development demands projected through 2035. The presentation detailed the need for infrastructure improvements, including the second phase of the wastewater plant and water line enhancements, with the fees set to help fund these projects, potentially through impact fee-backed debt issuance. The motion to recommend approval to the city council was passed, emphasizing the importance of aligning infrastructure growth with ongoing development and planning efforts.

**Motion:** Commission Member Gazda made a motion to approve the acceptance of the Bi-Annual Water and Wastewater Impact Fees for recommendation to City Council. Commission Member Walker seconded the motion. Motion carries with all present voting in favor.

### **13. Presentation regarding the MEDC wayfinding project in the Historic Preservation District.**

Code Enforcement Officer/Planning Administrator Corinne Tilley presented the presentation outlined the upcoming wayfinding signage project for the historic district, with an estimated cost of approximately \$1.5 million across three phases, primarily focused on fabricating and installing signs that align with the City's historic aesthetic. The project aims to enhance navigation and tourism while being mindful of installation timing, especially considering street and utility work, and will not include electronic message boards. Concerns about the high-cost relative to street repair needs were expressed, but the project is funded through the City's development budget. The signs are designed for ease of updating text if needed, and the City is in the process of selecting a reliable vendor to ensure durability and ongoing maintenance, with oversight from the county and TxDOT to meet installation standards.

### **COMMISSION INQUIRY**

The commission's inquiry included concerns about the lack of enclosure or covering for the outdoor garbage area, which remains exposed on the street and behind businesses, prompting discussions about installing a three-sided cover for sanitation and aesthetic reasons. Additionally, significant concern was raised about hazardous and disorderly street parking along Eva Street, especially on weekends at night, which creates safety issues and congestion; the commission suggested investigating parking regulations and enforcement with the city or public safety departments to address illegal or unsafe parking practices and improve overall safety and appearance in the area.

### **EXECUTIVE SESSION**

#### **14. Closed Session**

**Planning & Zoning Commission will meet in Closed Session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:**

**A. Section 551.071 Consultation with Attorney regarding a request for a special use permit for a fast-food restaurant with drive-through service.**

At 7:21 p.m. Chairman Simpson convened the Planning & Zoning Commission into closed session pursuant to provision of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.071 Consultation with Attorney regarding a request for a special use permit for a fast-food restaurant with drive-through service.

#### **15. Open Session**

**Planning & Zoning Commission will reconvene in Open Session at which time action on the matter(s) discussed in Closed Session may be considered.**

**A. Section 551.071 Consultation with Attorney regarding a request for a special use permit for a fast-food restaurant with drive-through service.**

At 7:41 p.m. Chairman Simpson reconvened the Planning & Zoning Commission into an open session pursuant to provision of Chapter 551 of the Texas Government Code to take any action necessary related to the executive session noted herein, or regular agenda items, noted above, and/or related items.

Item A: No action taken.

**CLOSING AGENDA**

**16. Items to consider for placement on future agendas.**

No items presented for consideration.

**17. Adjourn.**

**Motion:** Commission Member Gazda made a motion to adjourn the regular meeting of the Planning and Zoning Commission at 7:47 p.m. Commission Member Walker seconded the motion. Motion carries with all present voting in favor.

**APPROVED**

\_\_\_\_\_  
Bill Simpson, Commission Chairman

**ATTEST:**

\_\_\_\_\_  
Ruby Beaven, City Secretary

## Montgomery Planning and Zoning Commission **AGENDA REPORT**

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> NONE
<b>Department:</b> Administration	<b>Prepared By:</b> Corinne Tilley

### **Subject**

Update regarding the approved installation of a roof over the existing patio area located at 14335 Liberty Street in the Historic Preservation District.

### **Discussion**

14335 Liberty Street is located in the B-Commercial Zoning District and the Historical Preservation District.

On May 6, 2025, the Planning and Zoning Commission approved the installation of a permanent roof over the existing patio area, subject to the following conditions:

1. obtain appropriate building and trade permits.
2. provide the thickness of the roof material - specs (proposed 18x24)
3. roof doesn't extend beyond the existing; no gutters proposed at this time
4. submit updated drawings of the front porch
5. hard-mounted lighting will be installed on the underside of the structure, with no draping except for seasonal purposes.
6. ensure that roof drainage is managed effectively to prevent safety hazards on the property and to minimize any new issues with neighboring properties.

On June 11, the Planning and Zoning Commission received and reviewed the submittal and requested that the Building Official comment on the submitted information and tabled the discussion for next meeting on July 1. Note: This agenda item should have been for discussion only because the decision to approve was already made on May 6.

This item is for update/discussion only.

### **Recommendation**

For update/discussion.

### **Approved By**

City Secretary & Director of Administrative Services	Ruby Beaven	Date: 06/26/2025
City Administrator	Brent Walker	Date: 06/26/2025



## Montgomery Planning and Zoning Commission **AGENDA REPORT**

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> NONE
<b>Department:</b> Administration	<b>Prepared By:</b> Corinne Tilley

### **Subject**

Consideration and possible action regarding the proposed replacement of existing posts at 14420 Liberty Street.

### **Discussion**

14420 Liberty Street is located in the I-Institutional Zoning District and the Historical Preservation District.

For many years, the Montgomery Lions Club has displayed a banner at the southwest corner of the City of Montgomery Community Building to promote on-site bingo nights. They are now proposing to donate a more permanent and visually appealing sign holder to replace the existing white plastic stands.

The Montgomery Lions Club has proposed the installation of a permanent freestanding frame to house a temporary banner at the southwest corner of the Community Building. This location has historically been used for displaying banners specifically to promote the Club's bingo nights.

#### **Findings:**

The proposed banner sign qualifies as a **temporary directional sign** under Section 66-53(f) of the City of Montgomery Code of Ordinances. Specifically, the ordinance permits temporary signs that direct the public to special events of civic interest, including charitable events, parades, and organized holiday festivities.

The proposed sign is located within the Historic Preservation District. However, per the ordinance, the typical restrictions applicable to signs do not apply to the Historic District; effective area, height, setback, number per frontage, off-premise signage, spacing, design materials for freestanding signs, and temporary freestanding signs Type I or Type II.

#### **References:**

66-53 (f) *Temporary direction signs.* Temporary signs that direct the public to a special event of civic interest such as parades, organized holiday festivities, special events on the behalf of charitable organizations and the like are allowed, provided that:

- (1) Such signs do not exceed 16 square feet in area.
- (2) Signs are erected only for a time period not to exceed ten days before and two days after the event.
- (3) Such signs are located on private property with the permission of the property owner. In no case shall the sign be located on a public right-of-way without the consent of the city council.

66-53 (n)(2)a through g *Freestanding signs. Table of regulations.* Subsections (n)(2)a through g of this section do not apply to the historic district of the city. Relating to the effective area, height, setback, number per feet of frontage, off premise signs, spacing requirements, design and materials, temporary freestanding Type I and temporary freestanding Type II.

Montgomery Planning and Zoning Commission  
**AGENDA REPORT**

**Recommendation**

Based on these findings, staff recommends approval of the proposal to install a permanent frame to support a temporary banner at 14420 Liberty Street subject to the condition that the banner displays activities and events held exclusively on the property.

**Approved By**

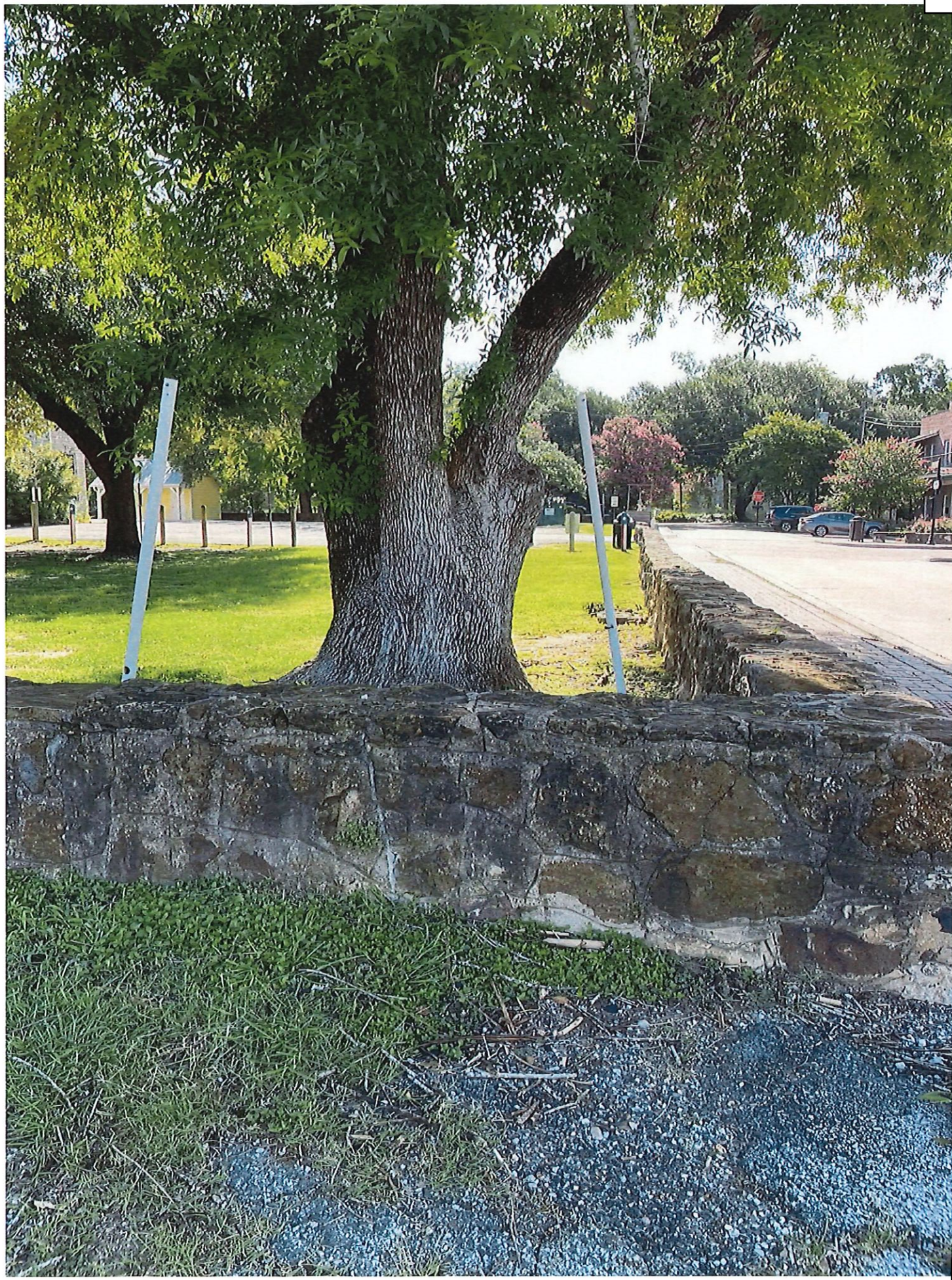
City Secretary & Director of Administrative Services	Ruby Beaven	Date: 06/27/2025
City Administrator	Brent Walker	Date: 06/27/2025



















Montgomery Lions Club  
PO Box 924  
Montgomery, Texas 77356

City of Montgomery  
[Ctilley@ci.montgomery.tx.us](mailto:Ctilley@ci.montgomery.tx.us)

June 27, 2025

Subject: Community Building Banner Holder

Ms C Tilley;

The Montgomery Lions Club would appreciate the opportunity to replace the old banner holder in the front corner of the Montgomery Community Building. The current sign is tired and crooked and we would appreciate the opportunity to improve the appearance and serviceability of this banner holder. The new banner holder will belong to the City of Montgomery as a donation from the Montgomery Lions Club. We release all title, etc to the City.

We are proposing to remove the old banner which is two metal "t" post with PVC pipe covers. The new banner holder will be in the same position as the old one, same width and height (72") and the same distances from the stone walls and the oak tree.

We will replacing the old holder with 4" treated post verticals and a cross post, mitered to the vertical post. I have attached a picture of the model we looked at this morning. The verticals will be buried in the ground a minimum of 24" and secured with either concrete or "poleset" (the compound used to secure utility poles.) To retain the banners or signs threaded hook loops with galvanized washers and bolts will be used.

The process will be conducted by the Montgomery Lions Club using our materials and labor. We will provide our liability insurance certificate when needed. We will need two days. One day to remove the old equipment, dig the holes, and secure the post. The second day is to install the cross bar, the loops and site clean up.

I have attached a sketch of showing the dimensions of the holder and a picture of the model we reviewed this morning.

Thank you for your consideration .

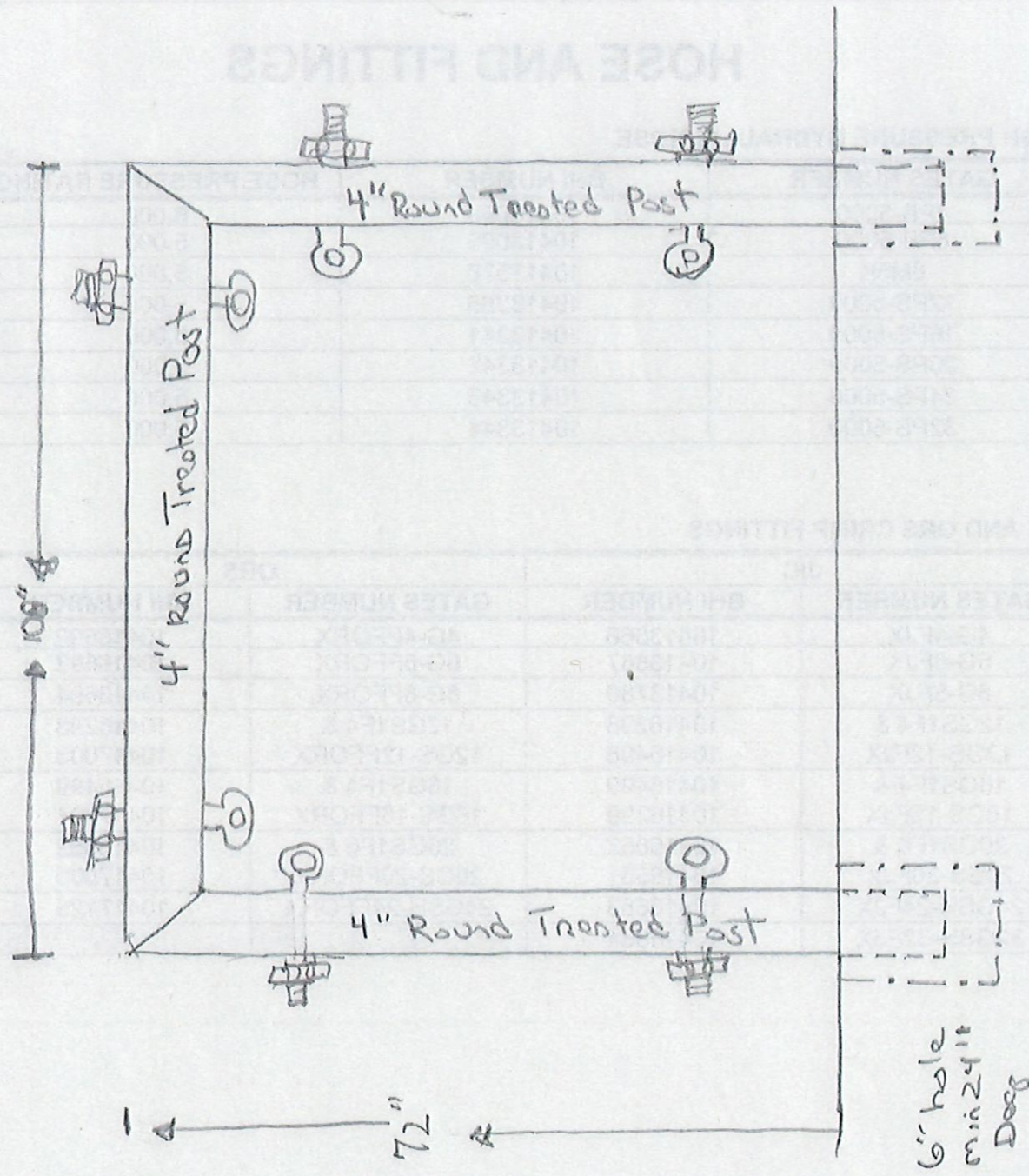
B Kevin Smith  
Director of Activities  
Montgomery Lions Club







Banner Holder Replacement



## Montgomery Planning and Zoning Commission

### AGENDA REPORT

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> NONE
<b>Department:</b> Administration	<b>Prepared By:</b> Corinne Tilley

#### Subject

Consideration and possible action regarding a request for a special use permit for a financial facility with two drive-through lanes and a dedicated lane for a drive up ATM at 19940 Eva Street (legal description: S725900 - Montgomery First, BLOCK 1, RES C-1, ACRES 1.1681)

#### Discussion

19940 Eva Street is located in the B-Commercial Zoning District.

The B-Commercial zoning district is designated for a wide range of business uses within enclosed areas as well as the other uses provided for in the zoning code (Sec. 98-178).

The proposed use in the development of the property is a financial facility with two two drive-through lanes and a dedicated lane for a drive up ATM.

#### References:

Zoning Code Sections 98-1, 98-27, 98-88, 98-179, 98-286  
2020 Comprehensive Plan

**Section 98-88(a)**, which outlines the table of permitted and special uses, does not specifically list a financial institution with drive-through or drive-up services as a permitted use.

**Section 98-88(b):** *Any use not specifically permitted in this table or in the use regulations of each district set out below shall require a Special Use Permit (see Section 98-27, Special Use Permits)."*

While it's not specifically listed, there are two permitted uses in the table that may be considered most similar in nature to a financial institution: **"Offices (professional)"** and **"Loan office."** However, because a financial institution with drive-through or drive-up services is not specifically identified, it would, require a Special Use Permit in accordance with Section 98-88(b).

Please note that the drive-through and drive-up services are **accessory** to the principal use of the financial institution. According to the definition of "Accessory Use" in **Section 98-1**, these services are subordinate to or customarily incidental to and located on the same lot occupied by the principal use. Therefore, including these services within the scope of this Special Use Permit is consistent with the intent of the zoning ordinance.

#### Findings:

Effect of the proposed use on the comprehensive plan and on the character and development of the neighborhood:

According to the 2020 Comprehensive Plan, Chapter 3 Land Use Planning, Development Recommendations indicates promoting infill. Infill development encourages a more efficient investment in infrastructure because it encourages growth where there is existing infrastructure. This finding is met.

Montgomery Planning and Zoning Commission  
**AGENDA REPORT**

While the Comprehensive Plan doesn't specifically address the need for financial institutions within the city, the proposed bank aligns with the Plan's broader goals in promoting economic viability and supporting a diverse commercial base. As a use that would serve local residents and nearby communities, it complements the character and development pattern of the commercial district by enhancing access to essential financial services.

The layout of the bank's drive-through lanes and drive-up ATM appears to indicate that vehicle stacking is contained within the property, with no encroachment into the public right-of-way. Internal circulation appears to support safe vehicle maneuvering pedestrian walkability for customer site safety.

**Please note:** Final confirmation of stacking capacity, circulation patterns, and pedestrian safety will be subject to detailed evaluation during the formal engineering review process.

**Recommendation**

Based on the findings, staff recommends that the Commission approve the request for a Special Use Permit for the development of a financial facility featuring two drive-through lanes and a dedicated drive-up ATM lane, located at 19940 Eva Street.

**Approved By**

City Secretary & Director of Administrative Services	Ruby Beaven	Date: 06/27/2025
City Administrator	Brent Walker	Date: 06/27/2025







# Special Use Permit

City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316  
(936) 597-6434

## Applicant Information

Owner/leaseholder Name: Texas First Bank

Address: P.O. Box 3344 Texas City, Texas 77592

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of owner (if different): \_\_\_\_\_

Contact person (if different): Thomas Baiker

Address: 15810 Park Ten Place Suite 300 Houston, Texas 77084

Email: tbaiker@sligroup.com Phone: 713-465-4650

## Parcel Information

Type of Business: Financial Institution

Legal Description: 1.166 Acres of land out of restricted reserve "C" in Block 1 of

Montgomery First  
Street Address or Location: 19940 Eva Street Montgomery, Texas 77356

## Special Use Permit Request

Description of request:

Request to develop a 2835 square foot financial facility with two lane drive thru and a drive up ATM with dedicated lane.

Applicant's Signature

*SPH. G.*  
*Samuel P. M. GCE*

Date

*6/20/25*



Submission Information

Submit the completed application with supporting documentation to:

City of Montgomery  
Planning/Zoning Administrator  
101 Old Plantersville Road  
Montgomery, Texas 77316

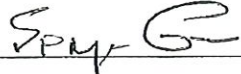
Or via email: [ctilley@ci.montgomery.tx.us](mailto:ctilley@ci.montgomery.tx.us)

Additional Information

Date Application received by the City of Montgomery: \_\_\_\_\_

Owner(s) of record for the above described parcel: Texas First Bank

Owner(s) of record for the above described parcel:

Signature:  Date: 6/20/25

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

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

*Note : Signatures are required for all owners of record for the property proposed for Special Use Permit.  
Attach additional signatures on a separate sheet of paper.*

<h2>Date Received</h2> <p>Office Use</p>



## TEXAS FIRST BANK - MONTGOMERY

19940 Eva St.  
Montgomery, TX

ARCHITECTURE | DESIGN | CONSTRUCTION

15810 PARK TEN PLACE, SUITE 300  
HOUSTON, TEXAS 77084  
713-465-4650  
www.sligroup.com

© COPYRIGHT

## ISSUE FOR BID

## RENDERING



## VICINITY MAP



## GENERAL

T-1.00 TITLE SHEET

## CIVIL

C-01 COVER SHEET  
C-02 GENERAL NOTES  
C-03 PLAT (SHEET 1 OF 2)  
C-04 PLAT (SHEET 2 OF 2)  
C-05 TOPOGRAPHICAL SURVEY  
C-06 CLEARING/GUBBING/DEMOLITION PLAN  
C-07 OVERALL SITE PLAN  
C-08 DRAINAGE AREA MAP  
C-09 GRADING PLAN  
C-10 SITE UTILITY LAYOUT  
C-11 FIRE ACCESS PLAN  
C-12 EROSION CONTROL PLAN  
C-13 SANITARY DETAILS  
C-14 WATER DETAILS  
C-15 PAVEMENT DETAILS  
C-16 STORM SEWER DETAILS  
C-17 SWPPP DETAILS  
PH-1 PHOTOMETRIC PLAN (SHEET 1 OF 2)  
PH-2 PHOTOMETRIC PLAN (SHEET 2 OF 2)  
LP-1.00 LANDSCAPE PLAN  
LP-2.00 LANDSCAPE DETAILS AND SPECIFICATIONS

## ARCHITECTURAL SITE

SP-1.00 SITE PLAN - DIMENSION  
SP-1.10 SITE PLAN - ANNOTATION  
SP-1.20 SITE PLAN - EXPANSION JOINT LAYOUT  
SP-2.00 SITE DETAILS  
SP-2.10 SITE DETAILS

## ARCHITECTURAL

A-0.00 ACCESSIBILITY ROUTE COMPLIANCE  
A-0.10 ACCESSIBILITY ELEMENT COMPLIANCE  
A-1.00 FLOOR PLAN-DIMENSION  
A-1.10 FLOOR PLAN-ANNOTATION  
A-2.00 DOOR/WIN./HARD. SCHEDULE  
A-2.10 INTERIOR WINDOW SCHEDULE  
A-3.00 INTERIOR PARTITIONS  
A-4.00 RCP-FIRST FLOOR  
A-4.20 CEILING DETAILS  
A-5.00 ROOF PLAN  
A-5.10 ROOF DETAILS  
A-6.00 EXTERIOR BUILDING ELEVATIONS  
A-6.10 EXTERIOR BUILDING ELEVATIONS  
A-7.00 BUILDING SECTIONS  
A-7.10 BUILDING SECTIONS  
A-8.00 WALL SECTIONS  
A-8.10 WALL SECTIONS  
A-9.00 EXTERIOR TRIMS

## ARCHITECTURAL

A-10.00 INTERIOR ELEVATIONS  
A-11.00 MILLWORK DETAILS  
A-11.01 MILLWORK DETAILS  
A-12.00 FINISHED FLOOR  
A-12.01 BANK EQUIPMENT  
A-12.02 BANK EQUIPMENT  
A-12.03 RESTROOM ACCESSORIES  
A-12.04 APPLIANCES  
A-13.00 POWER PLAN-1ST FLOOR  
A-14.00 EXTERIOR SIGNAGE  
A-14.10 INTERIOR SIGNAGE

## STRUCTURAL

S-0.00 GENERAL NOTES  
S-0.01 GENERAL NOTES  
S-0.02 GENERAL NOTES  
S-0.03 TESTING NOTES  
S-1.01 FOUNDATION PLAN  
S-2.01 ROOF FRAMING PLAN  
S-2.02 HIGH ROOF FRAMING PLAN  
S-3.01 FOUNDATION DETAILS  
S-3.02 FOUNDATION DETAILS  
S-3.03 FOUNDATION DETAILS  
S-4.01 FRAMING DETAILS  
S-4.02 FRAMING DETAILS

## MEP

MEP-0.01 MEP SITE PLAN  
M-1.01 MECHANICAL PLAN  
M-1.02 MECHANICAL ROOF PLAN  
M-3.01 MECHANICAL DETAILS  
M-3.02 MECHANICAL SCHEDULES  
EL-1.01 ELECTRICAL LIGHTING PLAN  
EP-1.01 ELECTRICAL POWER PLAN  
EP-1.02 ELECTRICAL POWER ROOF PLAN  
E-3.01 ELECTRICAL DETAILS  
E-3.02 ELECTRICAL DETAILS  
P-0.01 PLUMBING SYMBOLS AND ABBREVIATIONS  
P-1.00 PLUMBING PLAN - UNDER SLAB  
P-1.01 PLUMBING PLAN  
P-3.01 PLUMBING SCHEDULES & DETAILS  
P-3.02 PLUMBING DETAILS

## BUILDING CODE AND PROJECT INFORMATION

TDLR PROJECT NUMBER  
TABS

## LEGAL DESCRIPTION

1.166 ACRES OF LAND OUT OF RESTRICTED RESERVE "C" IN  
BLOCK 1 OF MONTGOMERY FIRST, A SUBDIVISION IN THE  
JOHN CORNER SURVEY, A-8 MONTGOMERY COUNTY, TEXAS  
REF: Cabinet Z, Sheet 4633

## SCOPE OF WORK

DEVELOPMENT OF 1.166 ACRE SITE AND CONSTRUCTION OF 2,835  
SQ.FT. WOOD AND STEEL FRAMED ONE STOREY BUILDING TO  
SERVE AS A BANK BRANCH FOR TEXAS FIRST BANK.

## BUILDING CODE

2024 IBC WITH CITY OF MONTGOMERY AMENDMENTS  
2023 NEC WITH CITY OF MONTGOMERY AMENDMENTS  
2024 IPC WITH CITY OF MONTGOMERY AMENDMENTS  
2024 IFC WITH CITY OF MONTGOMERY AMENDMENTS  
2024 IECC WITH CITY OF MONTGOMERY AMENDMENTS  
2024 IMC WITH CITY OF MONTGOMERY AMENDMENTS

## OCCUPANCY CLASSIFICATION, EGRESS &amp; OCCUPANT LOADS

OCCUPANCY TYPE: B-BUSINESS  
CONSTRUCTION TYPE: V-B  
ALLOWABLE HEIGHT: 40 FT  
ACTUAL HEIGHT: +/- 23 FT - 3 IN

ALLOWABLE BUILDING AREA PER FLOOR: 9,500 S.F.

## TOTAL ALLOWABLE BUILDING AREA:

FIRST FLOOR 9,500 S.F.

## ACTUAL BUILDING AREA:

FIRST FLOOR 2,835 S.F.

OCCUPANT LOAD:  
FACTOR: B-BUSINESS  
100 GROSS SQ.FT./  
OCCUPANTS  
FIRST FLOOR 28 OCCUPANTS

EXITS REQUIRED: 1  
EXITS PROVIDED: 2

WIDTH OF EXITS REQUIRED: 5.6 IN.  
WIDTH OF EXITS PROVIDED: 108 IN. MINIMUM

MAXIMUM ALLOWABLE TRAVEL DISTANCE: 300 FT.  
MAXIMUM ACTUAL TRAVEL DISTANCE: 50 FT.

## PLUMBING FACILITIES

	REQUIRED	PROVIDED
WATER CLOSETS FOR MEN PER FLOOR:	1	1
WATER CLOSETS FOR WOMEN PER FLOOR:	1	1
LAVATORIES FOR MEN PER FLOOR:	1	1
LAVATORIES FOR WOMEN PER FLOOR:	1	1

## ABBREVIATIONS

ABBR	DEFINITION	ABBR	DEFINITION
AC	AIR CONDITIONER	INCL	INCLUDING
ACT	ACQUISITION	INS	INSULATION
ADD	ADDITIONAL	INT	INTERIOR
ADJ	ADJACENT	JAN	JANITOR
AFF	ABOVE FINISH FLOOR	JC	JANITOR'S CLOSET
AFD	AT FINISH FLOOR	JO	JOINT
ALUM	ALUMINUM	LP	LOW POINT
ARCH	ARCHITECTURAL	LAM	LAMINATED
BO	BOARD	LAV	LAVATORY
BFF	BELOW FINISH FLOOR	LIT	LIGHTING
BLDG.	BUILDING	LIX	LAVATORY
BKG	BLOCKING	MSM	METAL BUILDING MANUFACTURER
BM	BEAM	MECH	MECHANICAL
BO	BOTTOM OF	MEMB	MEMBRANE
BRG	BEARING	MFR	MANUFACTURER
CEO	CHALKBOARD	MIN	MINIMUM
CI	CAST IRON	MSC	MISCELLANEOUS
CAST-IN-PLACE		MO	MASONRY OPENING
CONJ	CONTROL JOINT	MTL	METAL
CL	CENTERLINE	NC	NOT IN CONTRACT
CLG	CEILING	NO	NUMBER
CLR	CLEAR	NTS	NOT TO SCALE
CLO	CLOSET	OC	ON CENTER
CMU	CONCRETE MASONRY UNIT	OPND	OVERHEAD DOOR
CONC	CONCRETE	OPNG	OPENING
CONT	CONTINUOUS	OPP	OPPOSITE
CPT	CERAMIC TILE	OPPD	OPPOSITE HAND
DET	DETAIL	PART	PARTITION
DI	DIAMETER	PC	PRECAST
DN	DOWN	FEM	PRE-ENGINEERED METAL BUILDING
DWG	DRAWING	FLAM	FLAME
EA	EACH	PT	PRESSURE TREATED
EJ	EXPANSION JOINT	PTD	PANTEE
ELEC	ELECTRICAL	PVC	POLYVINYL CHLORIDE
ELEV	ELEVATION	QT	QUARRY TILE
EXT	EXTERIOR	QTY	QUANTITY
EQU	EQUIPMENT	R	RADIUS
EXIST	EXISTING	RA	RETURN AIR
FD	FLOOR DRAIN	RD	ROUGH OPENING
FEN	FOUNDATION	RTU	ROOF TOP UNIT
FE	FIRE EXTINGUISHER	SECT	SECTION
FEC	FIRE EXTINGUISHER CABINET	SM	SIMILAR
FF	FINISH FLOOR	SPG	SPECIFICATION
FTE	FINISH FLOOR ELEVATION	SQ	SQUARE
FT	FINISH FLOOR TRANSITION	SS	STAINLESS STEEL
FIN	FINISH	STL	STEEL
FNT	FINISH	STRUC	STRUCTURAL
FR	FIRE-RATED	SUSP	SUSPENDED
FRT	FIRE-RESISTANT	T	TREAD
FRT	FIRE-RETARDANT TREATED	TED	TO BE DETERMINED OR TACKLEBOARD
GA	GAUGE	TD	TRENCH DRAIN
GA	GAUZE	TO	TOP OF
GC	GENERAL CONTRACTOR	TOC	TOP OF CONCRETE
GL	GLASS	TOS	TOP OF STEEL
GYP	GYPSONUM BOARD	TOV	TOP OF WALL
HC	HANDICAP ACCESSIBLE	THK	THICK
HOW	HOLLOW	TYP	TYPICAL
HGT	HEIGHT	UNO	UNLESS NOTED OTHERWISE
HM	HOLLOW METAL	VCT	VINYL COMPOSITION TILE
HORIZ	HORIZONTAL	VERT	VERTICAL
HP	HIGH POINT	W	WOOD
HVAC	HEATING, VENTILATION, AND AIR CONDITIONING	WID	WIDE FLANGE
IN	INCH	WFR	WATERPROOFING

## DRAWING SYMBOLS LEGEND

SYMBOLS	DESCRIPTION	SYMBOLS	DESCRIPTION	SYMBOLS	DESCRIPTION
	NORTH ARROW		PARTITION TYPE		COLUMN GRID
	DRAWING NAME, NUMBER, AND SCALE		WINDOW TYPE		CENTERLINE
	ENLARGED DETAIL REFERENCE		DOOR IDENTIFICATION		BREAK LINE
	EXTERIOR ELEVATION		ROOM NAME AND NUMBER		SPOT ELEVATION
	BUILDING SECTION		INTERIOR ELEVATION		
	WALL SECTION		DIMENSION LINES		
	SECTION DETAIL		MATCH LINE		
	VERTICAL ELEVATION		REVISION NUMBER & AFFECTED AREA		
			FIRE EXTINGUISHER		

## TYPICAL MOUNTING HEIGHTS:

CONVENIENCE OUTLETS	15" (FLOOR TO BOTTOM OF BOX UNLESS OTHERWISE NOTED ON PLAN)
LIGHT SWITCHES	45" (FLOOR TO BOTTOM OF BOX)
FIRE ALARM PULL STATIONS	45" (FLOOR TO BOTTOM OF BOX)
TELEPHONE OUTLETS	15" (FLOOR TO BOTTOM OF BOX OR AS NOTED ON PLAN)
WALL TELEPHONE OUTLETS	45" (FLOOR TO BOTTOM OF BOX)
DATA CABLE OUTLETS	15" (FLOOR TO BOTTOM OF BOX)
SMOKE AND HEAT DETECTORS	CEILING MOUNTED

## GENERAL NOTES:

1. NOTIFY ARCHITECT OF ANY DISCREPANCIES AND/OR OMISSIONS.
2. ALL WORK SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL ORDINANCES.
3. ALL DIMENSIONS ARE TO FINISHED FACE OF PARTITIONS.
4. ALL DOORS ON AN ACCESSIBLE ROUTE SHALL HAVE A MIN. 18" CLEAR ON THE PULL SIDE. A MIN. 12" CLEAR ON THE PUSH SIDE WHEN DOOR IS EQUIPPED WITH BOTH A LATCH AND CLOSER.
5. ALL DOORS TO RECEIVE NEW AMERICAN DISABILITIES ACT COMPLIANT HARDWARE.

## PROJECT TEAM

**ARCHITECT/CONTRACTOR**  
SLI GROUP  
15810 PARK TEN PLACE, SUITE 300  
HOUSTON, TEXAS 77084  
713-465-4650

**CIVIL ENGINEER**  
AGI Technical Services, Inc.  
11740 Katy Freeway, Suite 1100  
Houston, TX 77079  
832.243.1475

**STRUCTURAL ENGINEER**  
CJG Engineers  
6051 North Course Dr Ste 375  
Houston, Texas 77072  
713.780.3345

**MEP ENGINEER**  
Jones Engineers, L.P.  
9820 Whitthorn Dr.  
Houston, Texas 77095  
713.222.7766

## SURVEYOR

## GEOTECHNICAL

## PRINT DATE:

6/25/2025 10:31:07 AM

## DRAWING TITLE

## TITLE SHEET

DRAWN BY	DRW	SHEET NO.
CHECKED BY	CHK	T-1.00
APPROVED BY	APR	













Planning & Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> NONE
<b>Department:</b> Administration	<b>Prepared By:</b> WGA

### Subject

Calling a Public Hearing on a rezoning request related to 58.952-acre Tract 1 located in the Zacharias Landrum Survey, Abstract 22 currently zoned within a mix of R-Residential, I-Institutional and C-Commercial to be rezoned I-Institutional as submitted by Lone Star Cowboy Church (Dev. No. 2407).

### Recommendation

WGA and Staff recommend calling a public hearing to be held on August 5, 2025 at 6:00pm at city hall.

### Discussion

The Rezoning Application and Supporting Documents are attached.

The Developer is requesting to rezone Tract 1 located in the Zacharias Landrum Survey, Abstract 22 currently zoned within a mix of R-Residential, I-Institutional and C-Commercial to be I-Institutional, in order to align with the nature of the proposed development

The first step in the rezoning process is calling a public hearing. This is the only action needed tonight.

1st Public Hearing: August 5, 2025

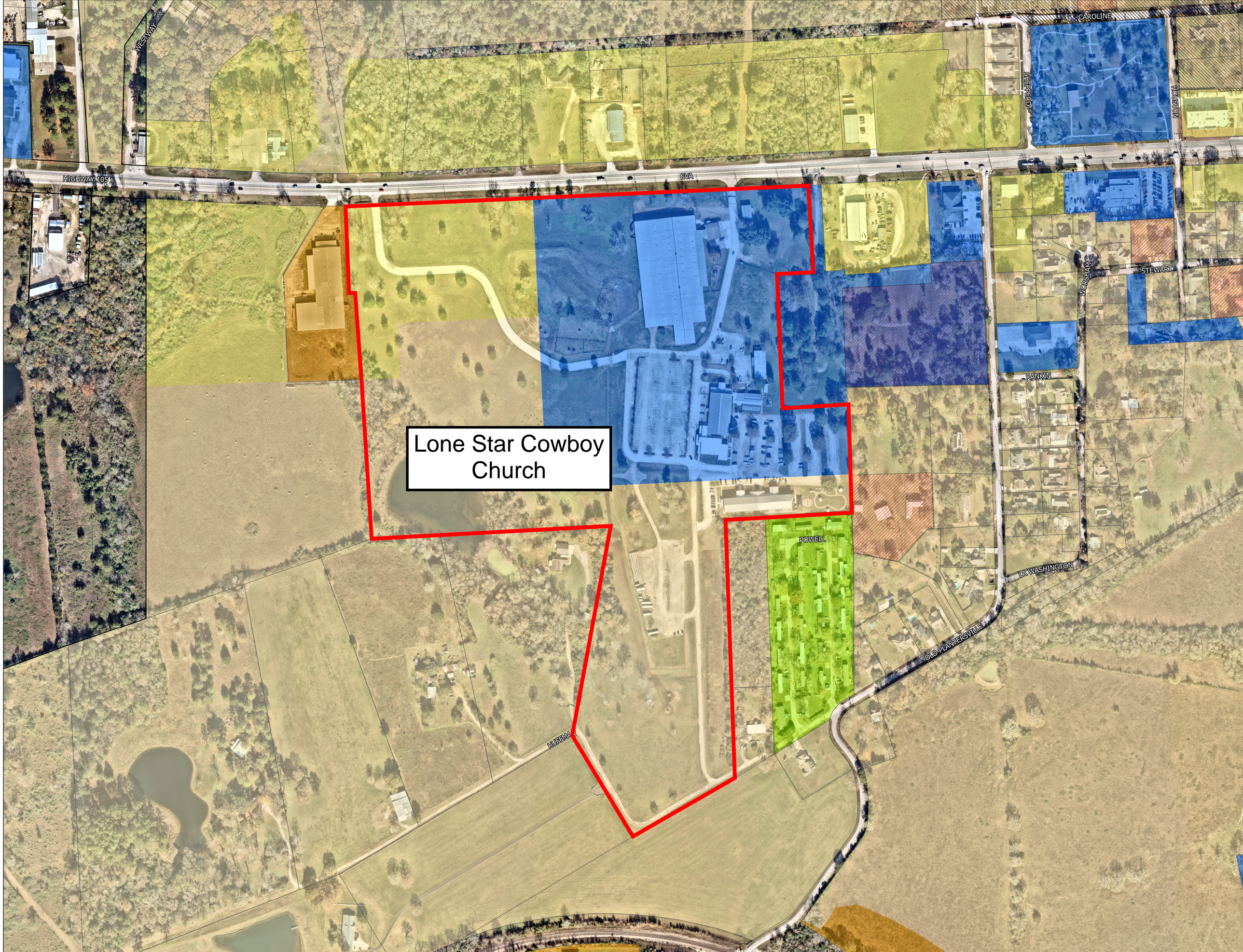
2nd Public Hearing: September 2, 2025

P&Z Consideration and Possible Action: September 2, 2025

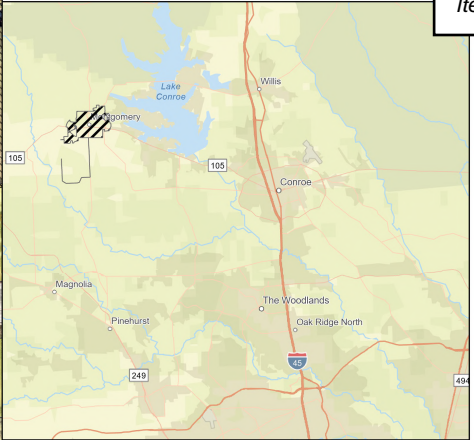
### Approved By

City Staff	Ruby Beaven	Date: 06/26/2025
------------	-------------	------------------





Lone Star Cowboy Church



**Legend**

**Jurisdictional Boundaries**

- City Limits
- City ETJ
- Parcel Boundary

**Zoning**

- Historical Preservation
- Historical Landmark
- Commercial
- Industrial
- Institutional
- Multi-Family
- Planned Development
- Residential

N  
W E  
S

1 inch equals 157 feet

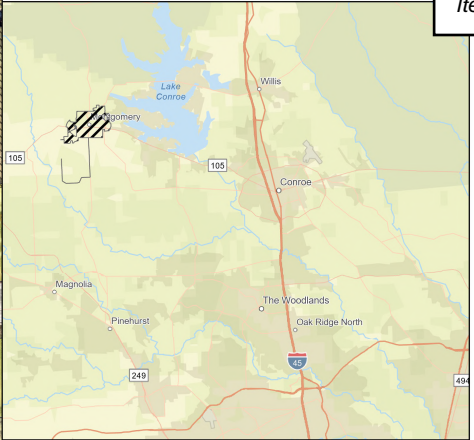
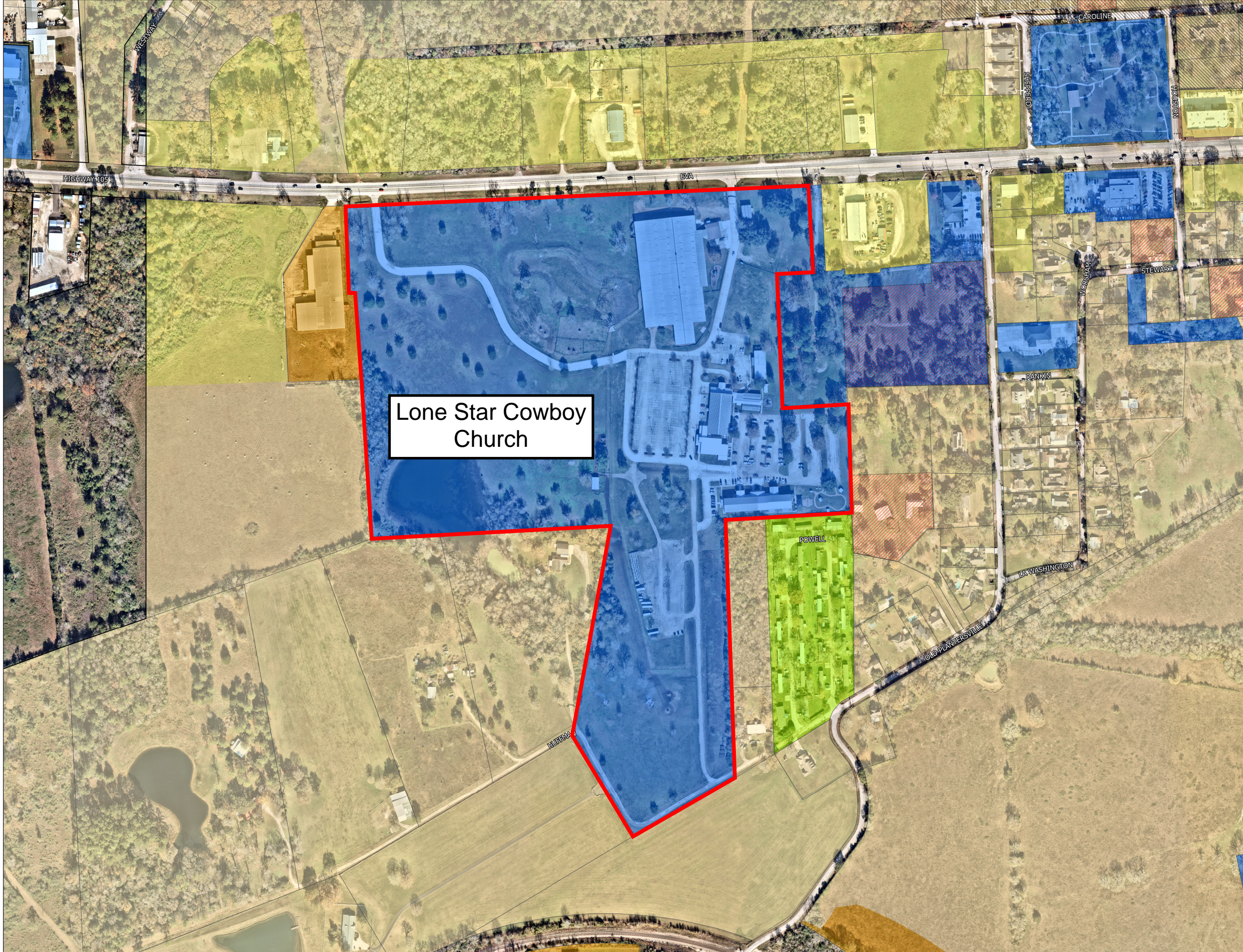
CITY OF MONTGOMERY  
CURRENT ZONING MAP  
LONESTAR COWBOY CHURCH  
(June 2025)



Disclaimer: This product is offered for graphical purposes only and may not be suitable for legal, engineering, or surveying purposes. The information shown on this exhibit represents the approximate location of property, municipal boundaries or facilities.







**Legend**

**Jurisdictional Boundaries**

- City Limits
- City ETJ
- Parcel Boundary
- Conroe ETJ

**Zoning**

- Historical Preservation
- Historical Landmark
- Commercial
- Industrial
- Institutional
- Multi-Family
- Planned Development
- Residential

N  
W E  
S

1 inch equals 157 feet

CITY OF MONTGOMERY  
FUTURE ZONING MAP  
LONESTAR COWBOY CHURCH  
(June 2025)



Disclaimer: This product is offered for graphical purposes only and may not be suitable for legal, engineering, or surveying purposes. The information shown on this exhibit represents the approximate location of property, municipal boundaries or facilities.







L SQUARED ENGINEERING  
MUNICIPAL COMMERCIAL RESIDENTIAL

3307 W Davis St., Suite 100  
Conroe, TX 77304  
P: 936-647-0420 F: 936-647-2366  
www.L2Engineering.com

May 29, 2025

City of Montgomery  
C/o Lone Star Cowboy Church  
101 Old Plantersville Road  
Montgomery, TX 77316

RE: Re-Zoning Request for Lone Star Cowboy Church

The subject tract of land (MCAD ID No. 287352) is currently made up of commercial, institutional, and residential zones according to the City of Montgomery's current zoning map. The current proposed additions would add buildings and pavement for the church in the current residential zoning. This request is to re-zone all portions of the residential zoning within the overall tract to that of institutional to match the existing land use of the property. Through this re-zone, we also request that the commercial zoning along the frontage remain as its current zoning since it will remain undeveloped and outside of the limits of the new proposed development.

We feel this rezoning request will help bring the current property into compliance with its existing usage and will also allow some flexibility for future improvements. Please feel free to contact me at 936-647-0420 if you have any questions or concerns.

Thank you,

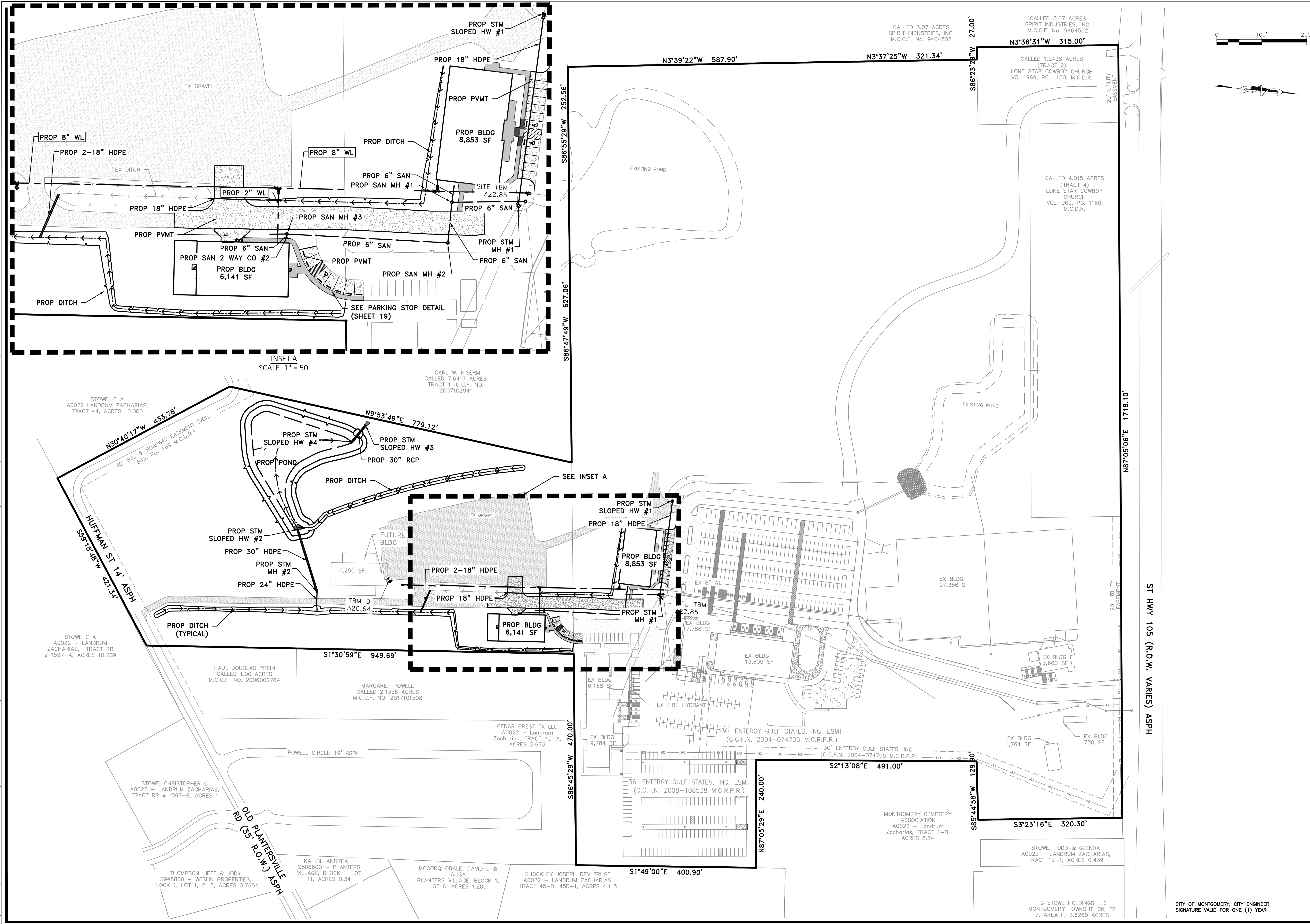
Jonathan Payne, PE  
L Squared Engineering  
936-647-0420  
Jpayne@L2engineering.com

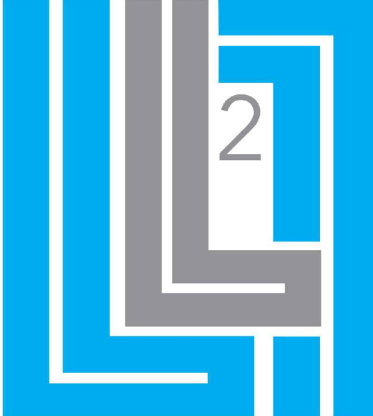
Attachments: Rezoning Request Application, Site Plan, Property Deeds





L:\SHARED\12. ENGINEERING PROJECTS\ENGINEERING PROJECTS\11041--LONESTAR COWBOY CHURCH BUILDING\Q3 CAD\DESIGN SET\04. OVERALL SITE PLAN.DWG Apr. 14, 2025--8:46 AM SEAN BURNETT





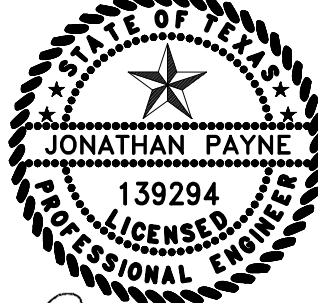
**L SQUARED ENGINEERING**  
MUNICIPAL COMMERCIAL RESIDENTIAL  
WWW.LZENGINERING.COM  
PROFESSIONAL ENGINEER  
3307 W. DAVIS STREET #100  
CONROE, TEXAS 77384  
OFFICE: 281-467-0600

CLIENT INFORMATION  
Maco Construction  
1718 HUMBLE PLACE DRIVE  
HUMBLE, TX 77338  
PROJECT ADDRESS  
21627 EVA ST, MONTGOMERY, TX 77356

LONE STAR COWBOY CHURCH  
EXPANSION  
OVERALL SITE PLAN

DRAWING ISSUE			
#	DATE	BY	* COMMENT
1	4/11/25	JMP	FOR PERMIT

DRAWING INFORMATION			
PROJECT	11041	TDLR	**
DRAWN	JTL	CHECKED BY	JMP
SCALE	1" = 100' (24x36) 1" = 200' (11x17)	SHEET	04

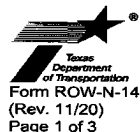


*Jonathan Payne*  
DATE 4/14/2025

\*PLANS NOT RELEASED FOR CONSTRUCTION UNLESS INDICATED ABOVE



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



**DEED**

**TxDOT ROW CSJ:** 0338-02-043

**TxDOT Parcel ID:** P00073134.001 (64)

**Grantor(s), whether one or more:**

Lone Star Cowboy Church, a Texas non-profit corporation

**Grantor's Mailing Address (including county):**

21627 Eva Street  
Montgomery, TX 77356-1964  
(Montgomery County)

**Grantee:**

The State of Texas, acting by and through the Texas Transportation Commission

**Grantee's Authority:**

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

**Grantee's Mailing Address (including county):**

Texas Department of Transportation  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701  
(Travis County)

**Charter Title Company**

**GF#** 1035012400074T

**Consideration:**

The sum of Thirty-Four Thousand Nine Hundred Eighty-Five and no/100 Dollars (\$34,985.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.

**Property:**

All of that certain tract or parcel of land in Montgomery County, Texas, being more particularly described in the attached Exhibit A (the "**Property**").

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Montgomery County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, and sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein, and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit:

**IMPROVEMENT**  
N/A

**RETENTION VALUE**  
N/A

Grantor covenants and agrees to remove the Retained Improvements from the Property by N/A day closing, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting, or permitting requirements.

**GRANTOR**, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular

Form ROW-N-14  
(Rev. 11/20)  
Page 3 of 3

the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors, and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED on the date(s) of acknowledgment indicated below.

**GRANTOR(s):**

Lone Star Cowboy Church, a Texas non-profit corporation  
by: *Randy Weaver*  
Randy Weaver, Lead Pastor and the Chairman of the Board

**Corporate Acknowledgment**

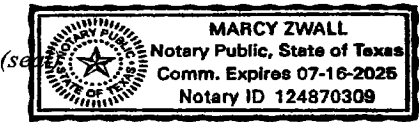
State of Texas  
County of Montgomery

This instrument was acknowledged before me on September 25, 2024 by Randy Weaver as Lead Pastor and the Chairman of the Board for Lone Star Cowboy Church, a Texas non-profit corporation.

The acknowledging person personally appeared by:

☒ physically appearing before me.

☐ appearing by an interactive two-way audio and video communication that meets the requirements for online notarization under Texas Government Code, Chapter 406, Subchapter C.



*Marcy Zwall*  
Notary Public, State of TEXAS  
Notary ID#: 124870309

January, 2024  
P00073134.001 (Parcel 64)  
Page 1 of 5

### EXHIBIT A

County: Montgomery  
Highway: State Highway 105  
Limits: Grimes County Line to FM 149  
RCSJ: 0338-02-043

#### Property Description for P00073134.001 (Parcel 64)

Being a 0.0004 of an acre (17 square feet) parcel of land situated in the Zachariah Landrum Survey, Abstract No. 22, Montgomery County, Texas; said 0.0004 of an acre parcel of land being out of a 46.9248 acre tract of land composed a called 41.666 acre tract described in a deed dated November 1, 2001, from Baptist Foundation of Texas to R.D. Oliver, Randy Weaver and William B. Garrett, Trustees for the Montgomery Cowboy Fellowship, recorded under Montgomery County Clerk's File (M.C.C.F.) No. 2001-100457, Film Code No. 969-00-1150 of the Official Public Records of Real Property of Montgomery County, Texas (O.P.R.R.P.M.C.T.) and conveyed in a Certificate of Resolution executed March 14, 2005, from Montgomery Cowboy Fellowship to Lone Star Cowboy Church, recorded under M.C.C.F. No. 2005-028301, Film Code No. 785-10-1298, O.P.R.R.P.M.C.T., a called 1.2438 acre tract described in a deed executed January 15, 2008, from William Robert McVeigh, and wife, JoCarolyn McVeigh to Lone Star Cowboy Church, recorded under M.C.C.F. No. 2008-005348, Film Code No. 506-11-1692, O.P.R.R.P.M.C.T., and a called 4.015 acre tract described in a deed dated February 6, 2013, from Harry E. Chance to Lone Star Cowboy Church recorded under M.C.C.F. No. 2013012489, of the Official Public Records of Montgomery County, Texas (O.P.R.M.C.T.); said 0.0004 of an acre parcel of land being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2 inch iron rod found for the southeast corner of said 46.9248 acre tract and an interior corner of a 3.0330 acre (calculated) residue of a called 3.47 acre tract of land described in a deed dated June 14, 2001, from Harry E. Chance, Individually and as Independent Executor of the Estate of Evangeline Bevers Chance, to Montgomery Cemetery Association, recorded under M.C.C.F. No. 2001-053013, Film Code No. 895-00-2946, O.P.R.R.P.M.C.T.;

**THENCE**, North 03° 21' 29" West, along the east boundary line of said 46.9248 acre tract and the west boundary line of said 3.0330 acre tract, at a distance of 319.86 feet pass a 1/2 inch iron rod found, and continuing for a total distance of 322.01 feet to a 5/8 inch iron rod with TxDOT aluminum cap set in the proposed south right-of-way line of State Highway 105 (SH 105) for the southeast corner of the herein described parcel and the **POINT OF BEGINNING** having coordinates of N= 10,135,547.78, E= 3,755,477.76, said point being 62.00 feet right from the proposed SH 105 baseline station 347+22.16;

January, 2024  
P00073134.001 (Parcel 64)  
Page 2 of 5

### EXHIBIT A

- 1) **THENCE**, South 87° 15' 04" West, along the proposed south right-of-way line of SH 105, a distance of 48.66 feet to a 5/8 inch iron rod with TxDOT aluminum cap set in the existing south right-of-way line of SH 105 (width varies per Volume 242, Page 284, Volume 243, Page 582, Volume 245, Page 140 of the Deed Records of Montgomery County, Texas and Condemnation-Cause No. 1814 of the Commissioners Court of Montgomery County, Texas) and the north boundary line of said 46.9248 acre tract for the west corner of the herein described parcel;\*\*
- 2) **THENCE**, North 86° 25' 10" East, along the existing south right-of-way line of said SH 105 and the north boundary line of said 46.9248 acre tract, a distance of 48.66 feet to a point for the northwest corner of said 3.0330 acre tract and the northeast corner of said 46.9248 acre tract and of the herein described parcel;
- 3) **THENCE**, South 03° 21' 29" East, along the east boundary line of said 46.9248 acre tract and the west boundary line of said 3.0330 acre tract, a distance of 0.71 feet to the **POINT OF BEGINNING** and containing 0.0004 of an acre (17 square feet) parcel of land.

#### Notes:

All bearings and coordinates are based on the Texas Coordinate System, Central Zone (4203), North American Datum of 1983 (NAD83), 2011 Adjustment, Epoch 2010.00. All distances and coordinates shown are surface values and may be converted to grid by dividing by a Combined Adjustment Factor of 1.00003.

TXDOT Monument Nos. H 2001-0050 and H 2001-0054 prepared by J.F. Thompson, Inc., dated Jan. 28, 2003, CSJ No. 0338-02-032, and revised by Landtech, Inc. September 17, 2017 were held for horizontal control. All measurements are in U. S. Survey feet.

\*\* The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

A parcel plat of even date was prepared in conjunction with this property description.

Access will be permitted to the remainder property abutting the highway facility.

Abstracting was completed in December, 2023.

XXXXXXXXXXXXXXXXXXXX

January, 2024  
P00073134.001 (Parcel 64)  
Page 3 of 5

EXHIBIT A

I hereby certify that this survey was performed on the ground under my supervision and that this property description and accompanying parcel plat represent the facts as found at the time of the survey. Survey date: January, 2024

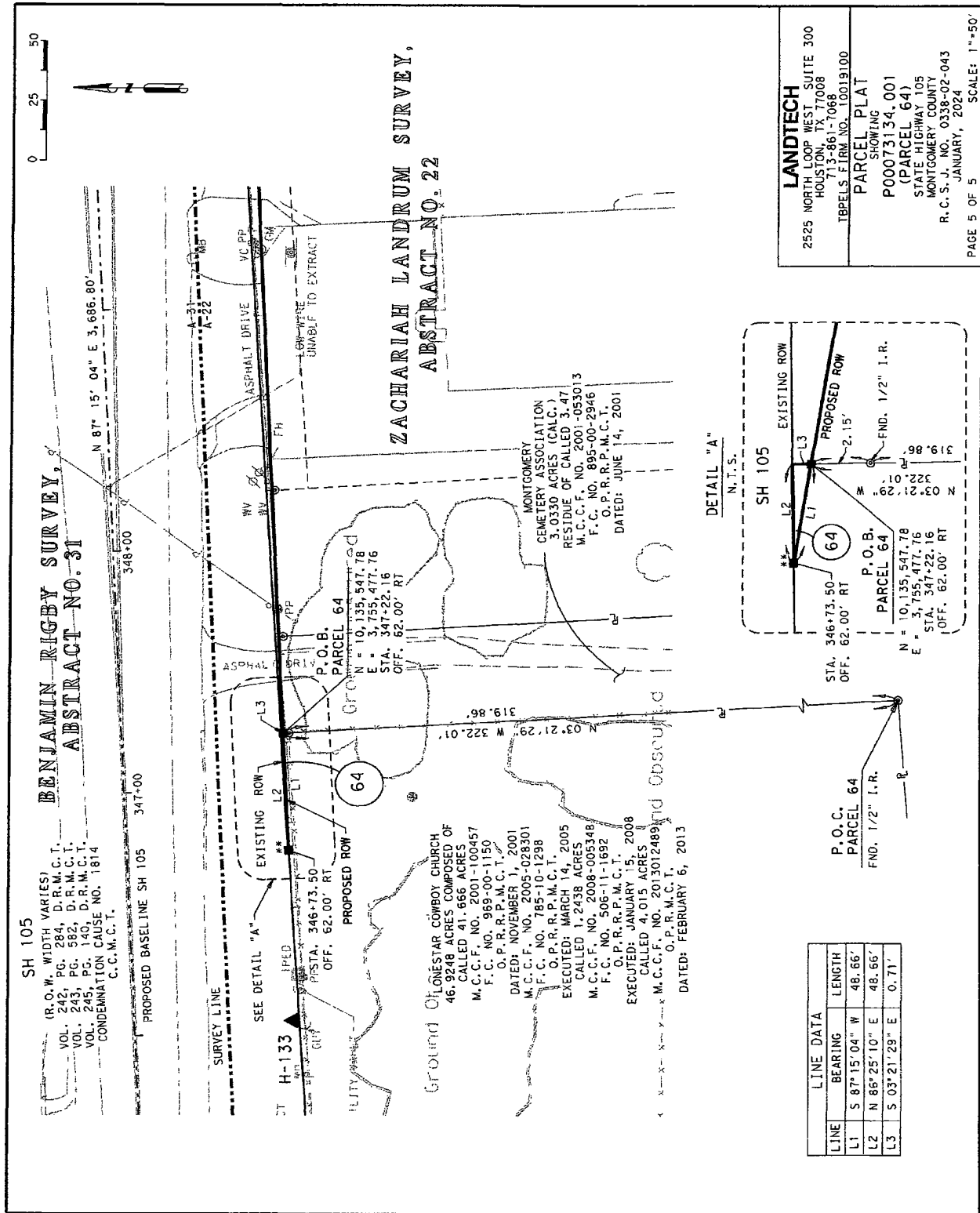
 01/31/24  
Leo M. Delatorre Date  
Registered Professional Land Surveyor  
Texas Registration No. 5113

Landtech, Inc.  
2525 North Loop West, Suite 300  
Houston, Texas 77008  
(713) 861-7068  
TBPELS Firm No. 10019100









Doc #: 2025008182

Pages 9

E-FILED FOR RECORD

01/29/2025 04:49PM

*L. Brandon Steinmann*County Clerk,  
Montgomery County, TexasSTATE OF TEXAS,  
COUNTY OF MONTGOMERY

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

01/29/2025

*L. Brandon Steinmann*County Clerk,  
Montgomery County, Texas

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

### **SPECIAL WARRANTY DEED**

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MONTGOMERY

§

THAT **WILLIAM ROBERT MCVEIGH, and wife, JOCAROLYN MCVEIGH**, hereinafter called Grantors, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash and other good and valuable considerations in hand paid by

LONE STAR COWBOY CHURCH, a Texas non profit corporation,

hereinafter called Grantee, receipt and sufficiency of which are hereby acknowledged and confessed, and the further consideration of \$152,000.00 in hand paid by **FIRST BANK OF CONROE, N.A.**, hereinafter referred to as Beneficiary, at the special instance and request of the Grantees herein, the receipt of which is hereby acknowledged and confessed, and as evidence of such advancement and other good and valuable consideration, the said Grantee has executed the note of even date herewith in the amount of \$152,000.00, which represents funds for purchase of the hereinafter described real property, being payable as specified therein; said note containing the usual acceleration of maturity and attorney's fees clauses in the event of default; and in consideration of the payment of the above sum by said Beneficiary, Grantors do hereby transfer, set over, assign and convey unto said Beneficiary, its successors and assigns, the vendor's lien and superior title hereinafter retained and reserved against the property and premises herein conveyed, in the same manner and to the same extent as if said note had been executed in Grantors' favor and by said Grantors assigned to the Beneficiary without recourse,

HAVE GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto Grantee all those certain lots, tracts or parcels of land, together with all improvements thereon, lying and being situated in the County of Montgomery, State of Texas, described as follows, to-wit:

A tract or parcel of land containing 1.2438 acres, more or less, situated in the Z. Landrum Survey, Abstract 22, Montgomery County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto.

This conveyance is made and accepted subject to any and all valid covenants, conditions, restrictions, easements and outstanding mineral and/or royalty interests in the oil, gas, and other minerals and leases thereon, now outstanding or affecting the premises herein conveyed, now of record in the County Clerk's office of Montgomery County, Texas, but only to the extent they are still in force and effect.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors, and assigns, forever. And Grantors do hereby bind Grantors, their heirs, and assigns, to warrant and forever defend all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantors, but not otherwise.


Grantors have executed this Deed and granted, bargained, sold, set over, assigned, transferred, delivered and conveyed the Property, and Grantee has accepted this Deed and purchased the Property, AS IS, WHERE IS, WITH ALL FAULTS and without any warranties of whatsoever nature, express or implied. It being the intention of the Grantors and Grantee to expressly negate and exclude all warranties, (except the special warranty of title set forth herein with respect to the Property), including, without limitation, warranties of merchantability for any particular purpose or use or habitability. Grantors have made no, and hereby disclaims all, representations, and warranties, express or implied, in respect the condition of the Property or the use which may be made thereof, including, without limitation, (A) the physical condition of the Property, (B) the soil conditions existing at the Property for any particular purpose or development potential, (C) the nature or quality of the construction, structural design and/or engineering of the improvements, (D) the quality of labor and materials included in the improvements, (E) the presence or absence of any hazardous substance or matter in or on the improvements or the Property, and (F) compliance of the Improvements or Property with applicable laws, regulations,



But it is agreed and stipulated that a vendor's lien and the superior title is hereby expressly reserved and retained against all of the property conveyed herein in favor of Grantors and herein assigned to Beneficiary to secure the payment of the above described note until the indebtedness evidenced by said note, and all interest thereon and attorney's fees provided therein have been fully paid according to the face and tenor, effect and reading of said note, when this deed shall become absolute; said note being further and additionally secured by Deed of Trust of even date therewith from Grantees to **Robert L. Page**, Trustee, containing provisions for foreclosure under power of sale, to which reference is here made for all purposes.

x William R. McVeigh  
WILLIAM ROBERT MCVEIGH

x Jocelyn McVeigh  
JOCAROLYN MCVEIGH

 Toy L. Wooley  
My Commission Expires  
03/06/2010

This instrument was acknowledged before me on this 15 day of January, 2008 by WILLIAM ROBERT MCVEIGH and wife, JOCAROLYN MCVEIGH.

Notary Public, State of Texas

After recording return to:  
Lone Star Cowboy Church  
P O Box 714  
Montgomery TX 77356  
g:\ee\wpdocs\lbc\2008\lonestar-ded

506-11-1694

or other governmental requirements including any and all laws, statutes, ordinances, rules, regulations, orders, or determinations of any governmental authority pertaining to health or the environment in effect in any and all jurisdictions in which the Property is located and by acceptance of the Deed, Grantees affirm that the conveyance of the Property is without warranty, except for the special warranty of title expressly set out herein.

But it is agreed and stipulated that a vendor's lien and the superior title is hereby expressly reserved and retained against all of the property conveyed herein in favor of Grantors and herein assigned to Beneficiary to secure the payment of the above described note until the indebtedness evidenced by said note, and all interest thereon and attorney's fees provided therein have been fully paid according to the face and tenor, effect and reading of said note, when this deed shall become absolute; said note being further and additionally secured by Deed of Trust of even date therewith from Grantees to **Robert L. Page**, Trustee, containing provisions for foreclosure under power of sale, to which reference is here made for all purposes.

Executed this 15th day of January, 2008.

\_\_\_\_\_  
WILLIAM ROBERT MCVEIGH

\_\_\_\_\_  
JOCAROLYN MCVEIGH

ACCEPTED BY GRANTEE:

LONE STAR COWBOY CHURCH

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

RANDY L. WEAVER, Pastor

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_\_ day of January, 2008 by WILLIAM ROBERT MCVEIGH and wife, JOCAROLYN MCVEIGH.

\_\_\_\_\_  
Notary Public, State of Texas

After recording return to:

Lone Star Cowboy Church

P O Box 714

Montgomery TX 77356

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STATE OF TEXAS           §  
                                   §  
                                   §  
                                   §  
 COUNTY OF MONTGOMERY §

A TRACT OR PARCEL OF LAND CONTAINING 1.2438 ACRES (54,180 SQUARE FEET) SITUATED IN THE Z. LANDRUM SURVEY, ABSTRACT NO. 22, IN MONTGOMERY COUNTY, TEXAS. SAID 1.2438 ACRE TRACT BEING THAT SAME TRACT RECORDED IN MONTGOMERY COUNTY CLERK'S FILE NUMBER (M.C.C.F. NO.) 8939666 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
 (BEARINGS ARE BASED IN M.C.C.F. NO. 8939666)

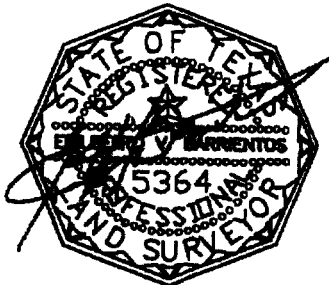
BEGINNING at an iron rod found in the south right-of-way (R.O.W.) line of Highway 105 West marking the northeast corner of the herein described tract and the northwest corner of a certain called 4 acre Chance tract recorded in Volume 470, Page 517 of the Montgomery County Deed Records (M.C.D.R.);

THENCE SOUTH, along with the east line of the herein described tract and the west line of said 4 acre tract, at 200.00 feet pass the southwest corner of said 4 acre tract and continuing along the common line of the herein described tract and Weaver's tract recorded in M.C.C.F. No. 2001-100457 for a total distance of 315.00 feet to a fence post marking the southeast corner of the herein described tract and an interior corner of said Weaver's tract from which an iron rod found bears N 52° W, a distance of 0.78 feet;

THENCE WEST, along the common line of the herein described tract and said Weaver's tract, at 145.20 feet pass the westerly northwest corner of said Weaver's tract and the easterly northeast corner of a certain called 3.07 acre tract recorded in M.C.C.F. No. 9464502 from which an iron rod found bears S 27° 24' W, a distance of 0.52 feet and continuing for a total distance of 172.00 feet to an iron rod found marking the southwest corner of the herein described tract and an interior corner of said 3.07 acre tract;

THENCE NORTH, along the common line of the herein described tract and said 3.07 acre tract, a distance of 315.00 feet to an iron rod set in the south R.O.W. line of said Highway 105 West marking the northwest corner of the herein described tract;

THENCE EAST, along with the south R.O.W. line of said Highway 105 West and the north line of the herein described tract, a distance of 172.00 feet to the POINT OF BEGINNING containing 1.2438 acres of land.



EDILBERTO V. BARRIENTOS  
 Professional Land Surveyor, No. 5364  
 December 18, 2007  
 Job No. 07-16373

# EXHIBIT A



506-11-1696

FILED FOR RECORD

2008 JAN 17 PM 2:44

*Mark Turnbull*  
COUNTY CLERK  
MONTGOMERY COUNTY TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in  
File Number Sequence on the date and at the time  
stamped herein by me and was duly RECORDED in  
the Official Public Records of Real Property at  
Montgomery County, Texas.

JAN 17 2008



*Mark Turnbull*  
County Clerk  
Montgomery County, Texas

WARRANTY DEED

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

Date: February 6, 2013

Grantor: Harry E. Chance, a single man

Grantor's Mailing Address: P. O. Box 1023  
Montgomery, TX 77356

Grantee: Lone Star Cowboy Church, a Texas non-profit corporation

Grantee's Mailing Address: 21627 Eva St.  
Montgomery, TX 77356

Consideration: TEN AND NO/100 (\$10.00) Dollars-----  
and other good and valuable consideration.

Property: (including any improvements):

A tract of land containing 4.015 acres, more or less, in the Z. Landrum Survey, Abstract No. 22, Montgomery County, Texas, and being the same property conveyed to Harry E. Chance by deed recorded in Volume 470, Page 517, of the Deed Records of Montgomery County, Texas, and being more particularly described in Exhibit "A", which is attached hereto and made a part hereof.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to all valid and subsisting restrictions, reservations, conditions, limitations, covenants, exceptions, mineral conveyances, and easements properly of record in the Office of the County Clerk of Montgomery County, Texas, if any, affecting the above-described property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

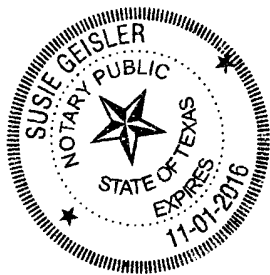
  
Harry E. Chance

(Acknowledgment)

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

This instrument was acknowledged before me on the 6 day of February, 2013, by Harry E. Chance.



Susie Geisler  
Notary Public, State of Texas

Notary's printed name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

PREPARED IN THE LAW OFFICE OF: Jerel J. Hill

AFTER RECORDING RETURN TO:

Lone Star Cowboy Church  
21627 Eva St.  
Montgomery, TX 77356



Exhibit "A" Attachment

FIELD NOTE DESCRIPTION  
4.015 ACRES IN THE ZACHARIAH LANDRUM SURVEY, ABSTRACT NO. 22  
MONTGOMERY COUNTY, TEXAS

BEING a 4.015 acre tract of land situated in the Zachariah Landrum Survey, Abstract Number 22, and being all of that certain called 4.0 acre tract of land as described in deed to Harry E. Chance and recorded in Volume 470, Page 517 of the Deed Records of Montgomery County, said 4.015 acre tract of land being more fully described as follows with all bearings based on a deed call of N00°00'00"E along the north line of the herein described tract of land:

BEGINNING at a found 1/2" iron rod in the apparent southerly right-of-way line of State Highway 105 West, same point being the most north easterly corner of a called 1.2438 acre tract of land described in deed to Lone Star Cowboy Church and recorded under County Clerks File No. 2008-005348 of the Official Public Records of Montgomery County, Texas and being the most north westerly corner of the herein described tract of land;

THENCE N90°00'00"E 874.74' and with the apparent southerly right-of-way line of State Highway 105 West to a found 1/2" iron rod for the north east corner of the herein described tract of land;

THENCE S00°37'25"E 199.95' and with a westerly line of a called 41.66 acre tract of land described in deed to Lone Star Cowboy Church recorded under County Clerks File No. 2001-100457 to a found 1/2" iron rod for the south east corner of the herein described tract of land and from which a found iron bar bears N47°52'W 1.72';

THENCE S89°59'49"W 874.94' and with a north line of said 41.66 acre tract of land to a found 1/2" iron rod situated in the east line of said 1.2438 acre tract of land, being the south west corner of the herein described tract of land and from which an iron bar bears N27°21'W 0.70';

THENCE N00°33'52"W 199.99' and with the east line of said 1.2438 acre Lone Star Cowboy Church tract to the POINT OF BEGINNNG.

CONTAINING a computed area of 4.015 acres of land within this Field Note Description.

**FILED FOR RECORD**  
02/07/2013 3:49PM

*Mark Tumbull*  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify this instrument was filed in file number  
sequence on the date and at the time stamped herein  
by me and was duly RECORDED in the Official Public  
Records of Montgomery County, Texas.

**02/07/2013**

 *Mark Tumbull*  
County Clerk  
Montgomery County, Texas

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

### WARRANTY DEED

**Date:** May 30, 2008

**Grantor:** HARRIETTE POWELL CUMMINGS, Individually, as her sole and separate property, not joined by her spouse for the reason that the property herein conveyed constitutes no part of their homestead; and as Independent Executrix of the Estate of BIRDIE M. NAPPER POWELL, Deceased

C. ANN POWELL BREMENKAMP, a married woman, as her sole and separate property, not joined by her spouse for the reason that the property herein conveyed constitutes no part of their homestead

**Grantor's Mailing Address (including county):**

HARRIETTE POWELL CUMMINGS  
605 Old Plantersville Rd  
Montgomery, Montgomery County, Texas 77316

C. ANN POWELL BREMENKAMP

2216 Poppo's Ferry Rd.  
Biloxi, MS 39532

**Grantee:** LONE STAR COWBOY CHURCH, a Texas non profit corporation

**Grantee's Mailing Address (including county):**

1627 Eva Street  
Montgomery, Montgomery County, Texas 77356

**Consideration:** TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration

**Property (including any improvements):**

Being 12.108 acres of land, more or less, out of a 15.2625 acre tract out of a 32.5 acre tract in the Zachariah Landrum Survey, A-22, Montgomery County, Texas, said 12.108 acre tract being more particularly described by metes and bounds attached hereto

**Reservations from Conveyance:**

None

**Exceptions to Conveyance and Warranty:**


Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; and all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds



Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

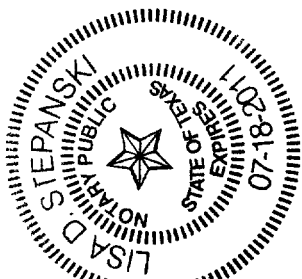
  
HARRIETTE POWELL CUMMINGS, Individually  
and as Independent Executrix of the Estate of  
BIRDIE M. NAPPER POWELL, Deceased

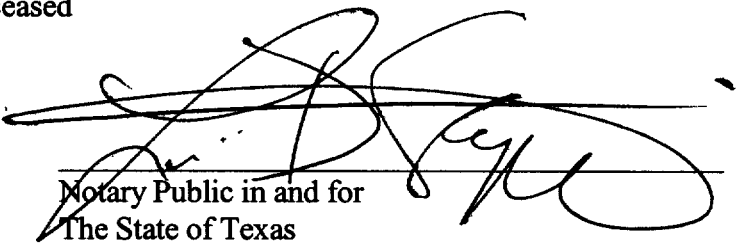
  
C. ANN POWELL BREMENKAMP

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on June 6, 2008, by  
HARRIETTE POWELL CUMMINGS, Individually, and as Independent Executrix of the Estate  
of BIRDIE M. NAPPER POWELL, Deceased

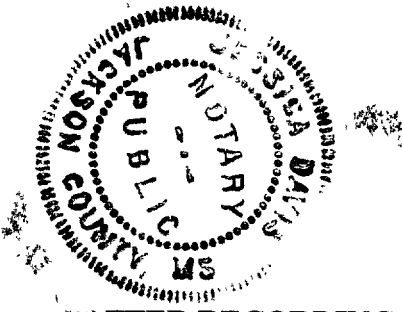


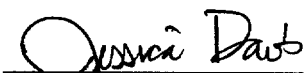
  
Notary Public in and for  
The State of Texas

STATE OF MISSISSIPPI §

COUNTY OF Jackson §

This instrument was acknowledged before me on June 4, 2008, by  
C. ANN POWELL BREMENKAMP



  
Notary Public in and for  
The State of Mississippi My Commission Expires March 8, 2011

AFTER RECORDING RETURN TO:

LONE STAR COWBOY CHURCH  
1627 EVA STREET  
MONTGOMERY, TEXAS 77356

PREPARED IN THE LAW OFFICE OF:

LARSON & WEISINGER  
P. O. BOX 2666  
CONROE, TEXAS 77305

**RECORDER'S MEMORANDUM:**  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was filed and recorded.

**Exhibit "A" Attachment**

**FIELD NOTE DESCRIPTION**  
**12.108 ACRES IN THE ZACHARIAH LANDRUM SURVEY, A-22**  
**MONTGOMERY COUNTY, TEXAS**

BEING a 12.108 acre tract of Land situated in the Zachariah Landrum Survey, Abstract No. 22, Montgomery County, Texas, out of a 32.5 acre tract conveyed to John Powell in Partition Deed recorded in Volume 649, Page 169 of the Deed Records of Montgomery County, Texas, and being the remainder of a 15.2625 acre tract described in deed recorded under County Clerk's File No. 8557741 of the Real Property Records of Montgomery County, Texas, said 12.108 acre tract being more particularly described as follows:

BEGINNING at a ¼ inch iron pipe found for the northwesterly corner of said 32.5 acre and 15.2625 acre parent tracts, also lying in the southerly line of a 41.666 acre tract described in deed to Montgomery Cowboy Fellowship recorded under County Clerk's File No. 2001-100457;

THENCE with the southerly line of said 41.666 acre tract North 88° 24' 41" East a distance of 425.30 feet to a ¼ inch iron rod found for the northwesterly corner of a 2.1356 acre tract described under County Clerk's File No. 8426404;

THENCE with the westerly line of said 2.1356 acre tract and a 1.0 acre tract described in deed to Paul Prein recorded under County Clerk's File No. 2006-002764, South 00° 36' 00" West a distance of 949.69 feet to a ¼ inch iron rod with Survey cap inscribed "D&Z Surveying", for the southwesterly corner of said 1.0 acre tract in the northerly line of the G.C.& S.F. Railroad, also being in the southerly line of a 40 foot wide Road Easement;

THENCE with the northerly line of the G.C.& S.F. Railroad and southerly line of said 40 foot wide Road Easement South 61° 25' 47" West a distance of 421.34 feet to a ¼ inch iron rod found for the southerly corner of said 15.2625 acre parent tract and southeasterly corner of a 10.0 acre tract described in deed to Harry E. Chance recorded under County Clerk's File No. 8718074;

THENCE with the easterly line of said Chance 10.0 acre tract and westerly line of said 40 foot wide Road Easement North 28° 37' 07" West a distance of 435.73 feet to a ¼ inch iron rod found for the southeasterly corner of a 7.64 acre tract described in deed to James E. Price and I.L. Martin recorded in Volume 1092, Page 44 of said Deed Records;

THENCE with the easterly line of said 7.64 acre tract North 12° 11' 36" East a distance of 774.32 feet to the POINT OF BEGINNING.

CONTAINING a computed area of 12.108 acres of land within this Field Note Description.

FILED FOR RECORD

2008 JUN -9 PM 2:31

*Mark Turnbull*  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property at Montgomery County, Texas.

JUN - 9 2008



*Mark Turnbull*  
County Clerk  
Montgomery County, Texas

EXHIBIT "A"

Page 1 of 1

## MODIFICATION OF DEED OF TRUST

**RECORDATION REQUESTED BY:**

First Financial Bank, N.A.  
Montgomery Office  
14125 Liberty St.  
Montgomery, TX 77316

**WHEN RECORDED MAIL TO:**

First Financial Bank, N.A.  
Credit Department  
P. O. Box 2559  
Abilene, TX 79604-2559

**SEND TAX NOTICES TO:**

Lone Star Cowboy Church  
21627 EVA ST  
MONTGOMERY TX 77356-1964

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



\*#####%0735%04212020%#####\*

**THIS MODIFICATION OF DEED OF TRUST** dated April 21, 2020, is made and executed between Lone Star Cowboy Church ("Grantor") and First Financial Bank, N.A., whose address is Montgomery Office, 14125 Liberty St., Montgomery, TX 77316 ("Lender").

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated April 21, 2015 (the "Deed of Trust") which has been recorded in MONTGOMERY County, State of Texas, as follows:

Deed of Trust, Security Agreement and Financing Statement recorded on April 22, 2015 in the Official Public Records of Montgomery County, Texas, at Document Number 2015036708, and all subsequently executed modifications and/or extensions of such Deed of Trust.

**REAL PROPERTY DESCRIPTION.** The Deed of Trust covers the following described real property located in MONTGOMERY County, State of Texas:

See Exhibit "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 21627 EVA ST, MONTGOMERY, TX 77356-1964.

**MODIFICATION.** Lender and Grantor hereby modify the Deed of Trust as follows:

Extend maturity date from April 21, 2020 to July 21, 2040.


**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED APRIL 21, 2020.**

**GRANTOR:**

LONE STAR COWBOY CHURCH

By:

  
Randy Weaver, Director of Lone Star Cowboy Church

MODIFICATION OF DEED OF TRUST  
(Continued)

LENDER:

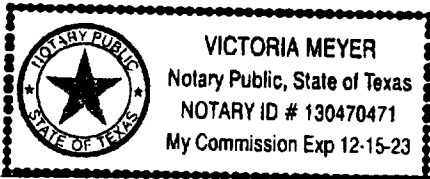
FIRST FINANCIAL BANK, N.A.

X *Guy Jason Barker, JVP*  
Guy Jason Barker, Vice President

CORPORATE ACKNOWLEDGMENT

STATE OF *Texas* )  
COUNTY OF *Montgomery* ) SS

This instrument was acknowledged before me on *Aug 25<sup>th</sup>* 20 *20* by Randy Weaver, Director of Lone Star Cowboy Church a Texas corporation, on behalf of said corporation

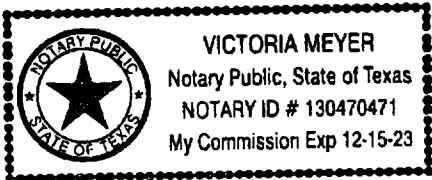


*V. Weaver*  
Notary Public, State of Texas

LENDER ACKNOWLEDGMENT

STATE OF *Texas* )  
COUNTY OF *Montgomery* ) SS

This instrument was acknowledged before me this *25<sup>th</sup>* day of *Aug*, 20 *20* by Guy Jason Barker as Vice President of First Financial Bank, N.A..



*V. Weaver*  
Notary Public, State of Texas



**EXHIBIT "A"****Tract 1**

Being 41.666 acres of land, more or less, in the Zachariah Landrum Survey A-22, Montgomery County, and being a part of a 49.0 acre tract conveyed to O.C. Bevers by A. F. and Susie Rabon as recorded in Volume 84, Page 13 of the County Clerk's Deed Records dated October 20, 1915, also a part of a 50.0 acre tract described in Volume 72, Page 613, Deed Records, more fully described as follows;

**BEGINNING** at an iron rod found for th Bevers Southwest corner, also the Southeast corner of the Vivian Furlow 35 acre tract, Volume 120. Page 202, Deed Records;

**THENCE** N 0° 44' 51" W, along the Bevers West line, 587.9 feet to an iron rod found for Spirit Industries 3.07 acre tract Southeast Corner, File No. 9464502, Real Property Records;

**THENCE** N 0° 42' 47" W, 321.3 feet to an iron rod found for the Southwest corner of a 1.0 acre tract conveyed out of the original 50.0 acre tract to C. Furlow, Volume 73, Page 107, Deed Records;

**THENCE** N 89° 18' E. 145.0 feet to a cross tic found at fence corner;

**THENCE** N 0° 32' W. 115.2 feet to an iron rod set for the Southwest corner of the Harry Chance 4.0 acre tract., Volume 450, Page 517, Deed Records, out of the original 50.0 acre tract;

**THENCE** S 89° 55' 17" E. along the 4.0 acre tract South line, 875.0 feet to an iron rod set for corner;

**THENCE** N 0° 32' W. 200.0 feet. to an iron rod set. in the South line of State Highway 305, 69.0 feet from its centerline;

**THENCE** along the South line of Highway, S 89° 55' 17" E. 670.2 feet to an iron rod set in South line;

**THENCE** S 0° 28' 45" E. 320.3 feet to an iron rod set for interior corner of proposed cemetery site;

**THENCE** S 88° 39' 29" W. 129.9 feet to an iron rod set;

**THENCE** S 0° 41' 23" W. 491.0 feet to an iron rod set. for the Southwest corner of a 3.47 acre tract out of the Bevers original tract;

**THENCE** East, 240.0 feet to an iron rod set in the Bevers East line and the Joe Shockley West line;

**THENCE S 01° 05' 31" W. 400.9 feet to an iron rod found for the Bevers Southeast corner and Northeast corner of Cedar Crest Mobile Park, County clerk's File No. 9132744, Real Property Records;**

**THENCE S 89° 40' W. along the Bevers South line. 470.0 feet to a 2.1 acre tract Northwest corner, File No. 8611517, and Northeast corner of the B. M. Powell tract, Volume 272, Page 159, Deed Records;**

**THENCE S 89° 42' 20 W. along the Bevers South line, 1052.3 feet to an iron rod for the Northwest corner of a 7.64 acre tract, Volume 1092, Page 44, Deed Records;**

**THENCE S 89° 50' W. 252.56 feet to the PLACE OF BEGINNING, containing 41.66 acres or Land, more or less.**

**NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.**

#### **Tract 2**

**A TRACT OR PARCEL OF LAND CONTAINING 1.2438 ACRES (54,180 SQUARE FEET) SITUATED IN THE Z. LANDRUM SURVEY, ABSTRACT NO. 22, IN MONTGOMERY COUNTY, TEXAS. SAID 1.2438 ACRE TRACT BEING THAT SAME TRACT RECORDED IN MONTGOMERY COUNTY CLERK'S FILE NUMBER (M.C.C.F. NO.) 8939666 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING at an iron rod found in the south right-of-way (R.O.W.) line of Highway 105 West marking the northeast corner of the herein described tract and the northwest corner of a certain called 4 acre Chance tract recorded in Volume 470, Page 517 of the Montgomery County Deed Records (M.C.D.R.);**

**THENCE SOUTH, along with the east line of the herein described tract and the west line of said 4 acre tract, at 200.00 feet pass the southwest corner of said 4 acre tract and continuing along the common line of the herein described tract and Weaver's tract recorded in M.C.C.F. No. 2001-100457 for a total distance of 315.00 feet to a fence post marking the southeast corner of the herein described tract and an interior corner of said Weaver's tract from which an iron rod found bears N 52° W, a distance of 0.78 feet;**

**THENCE WEST, along the common line of the herein described tract and said Weaver's tract, at 145.20 feet pass the westerly northwest corner of said Weaver's tract and the easterly northeast corner of a certain called 3.07 acre tract recorded in M.C.C.F. No. 9464502 from which an iron rod found bears S 27° 24' W, a distance of 0.52 feet and continuing for a total distance of 172.00 feet to an iron rod found marking the southwest corner of the herein described tract and an interior corner of said 3.07 acre tract;**

**THENCE NORTH, along the common line of the herein described tract and said 3.07 acre tract, a distance of 315.00 feet to an iron rod set in the south R.O.W. line of said Highway 105 West marking the northwest corner of the herein described tract;**

**THENCE EAST, along with the south R.O.W. line of said Highway 105 West and the north line of the herein described tract, a distance of 172.00 feet to the POINT OF BEGINNING containing 1.2438 acres of land.**

**NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.**

**Tract 3**

**BEING a 12.108 acre tract of Land situated in the Zachariah Landrum Survey, Abstract No. 22, Montgomery County, Texas, out of a 32.5 acre tract conveyed to John Powell in Partition Deed recorded in Volume 649, Page 169 of the Deed Records of Montgomery County, Texas, and being the remainder of a 15.2625 acre tract described in deed recorded under County Clerk's File No. 8557741 of the Real Property Records of Montgomery County, Texas, said 12.108 acre tract being more particularly described as follows:**

**BEGINNING at a \* inch iron pipe found for the northwesterly corner of said 32.5 acre and 15.2625 acre parent tracts, also lying in the southerly line of a 41.666 acre tract described in deed to Montgomery Cowboy Fellowship recorded under County Clerk's File No. 2001-100457;**

**THENCE with the southerly line of said 41.666 acre tract North 88° 24' 41" East a distance of 425.30 feet to a \* inch iron rod found for the northwesterly corner of a 2.1356 acre tract described under County Clerk's File No. 8426404;**

**THENCE with the westerly line of said 2.1356 acre tract and a 1.0 acre tract described in deed to Paul Prein recorded under County Clerk's File No. 2006-002764, South 00° 36' 00" West a distance of 949.69 feet to a \* inch iron rod with Survey cap inscribed "D&Z Surveying", for the southwesterly corner of said 1.0 acre tract in the northerly line of the G.C.& S.F. Railroad, also being in the southerly line of a 40 foot wide Road Easement;**

**THENCE with the northerly line of the G.C.& S.F. Railroad and southerly line of said 40 foot wide Road Easement South 61° 25' 47" West a distance of 421.34 feet to a \* inch iron rod found for the southerly corner of said 15.2625 acre parent tract and southeasterly corner of a 10.0 acre tract described in deed to Harry E. Chance recorded under County Clerk's File No. 8718074;**

**THENCE with the easterly line of said Chance 10.0 acre tract and westerly line of said 40 foot wide Road Easement North 28° 37' 07" West a distance of 435.73 feet to a \*, inch iron rod found for the southeasterly corner of a 7.64 acre tract described in deed to James E. Price and I.L. Martin recorded in Volume 1092, Page 44 of said Deed Records;**

**THENCE with the easterly line of said 7.64 acre tract North 12° 11' 36" East a distance of 774.32 feet to the POINT OF BEGINNING.**

**NOTE: The Company is prohibited from insuring the area or quantity of the land**

described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

**Tract 4**

**BEING** a 4.015 acre tract of land situated in the Zachariah Landrum Survey, Abstract Number 22, and being all of that certain called 4.0 acre tract of land as described in deed to Harry E. Chance and recorded in Volume 470, Page 517 of the Deed Records of Montgomery County, said 4.015 acre tract of land being more fully described as follows with all bearings based on a deed call of N00°00'00"E, along the north line of the herein described tract of land:

**BEGINNING** at a found 1/2" iron rod in the apparent southerly right-of-way line of State Highway 105 West, same point being the most north easterly corner of a called 1.2438 acre tract of land described in deed to Lone Star Cowboy Church and recorded under County Clerks File No. 2008-005348 of the Official Public Records of Montgomery County, Texas and being the most north westerly corner of the herein described tract of land;

**THENCE** N90°00'00"E 874.74' and with the apparent southerly right-of-way line of State Highway 105 West to a found 1/2" iron rod for the north east corner of the herein described tract of land;

**THENCE** S00°37'25"E 199.95' and with a westerly line of a called 41.66 acre tract of land described in deed to Lone Star Cowboy Church recorded under County Clerks File No. 2001-100457 to a found 1/2" iron rod for the south east corner of the herein described tract of land and from which a found iron bar bears N47°52'W 1.72';

**THENCE** S89°59'49"W 874.94' and with a north line of said 41.66 acre tract of land to a found 1/2" iron rod situated in the east line of said 1.2438 acre tract of land, being the south west corner of the herein described tract of land and from which an iron bar bears N27°21' W 0.70';

**THENCE** N00°33'52"W 199.99' and with the east line of said 1.2438 acre Lone Star Cowboy Church tract to the **POINT OF BEGINNING**.

**NOTE:** The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.




**Doc #: 2020098145****Pages 7****E-FILED FOR RECORD****09/04/2020 04:28PM**

COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

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

**09/04/2020**

County Clerk  
Montgomery County, Texas





# Rezoning Application

City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316  
(936) 597-6434

Upon completion return application to [dmccorquodale@ci.montgomery.tx.us](mailto:dmccorquodale@ci.montgomery.tx.us)

## Contact Information

Property Owner(s): Lone Star Cowboy Church  
Address: 21627 Eva Street, Montgomery, Texas  
Zip Code: 77356 Phone: 936-597-5742  
Email Address: darla@lonestar.tv  
Applicants: L Squared Engineering  
Address: 3307 W Davis St, Conroe, Texas  
Zip Code: 77304 Phone: 936-647-0420  
Email Address: jpayne@l2engineering.com

## Parcel Information

Property Identification Number (MCAD R#): 287352  
Legal Description: Tract 1, 1-A, 42, and 45-B of the Zacharias Landrum Survey, Abstract 22  
Street Address or Location: 21627 Eva Street, Montgomery, Texas 77356  
Acreage: 59.05 Present Zoning: Residential Present Land Use: Religious Institution  
Proposed Zoning: Institutional Proposed Land Use: Religious Institution

Is the proposed use in compliance with the Future Land Use Plan? ☒ YES ☐ NO

## Additional Information

Owner(s) of record for the above described parcel:  
Signature: Darla Weaver Date: 5-29-25  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Note: Signatures are required for all owners of record for the property proposed for Special Use Permit. Attach additional signatures on a separate sheet of paper.

Date Received

Office Use



Planning & Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> 07/01/2025	<b>Budgeted Amount:</b> NONE
<b>Department:</b> Administration	<b>Prepared By:</b> WGA

### Subject

Calling a Public Hearing on a rezoning request replated to 12.15-acres of the Tract 2-G, John Corner Survey, Abstract 8 currently zoned PD- Planned Development and C-Commercial to be rezoned R2-Multi-family Residential as submitted by BCS Capital, LLC (Dev. No. 2415).

### Recommendation

WGA and Staff recommend calling a public hearing to be held on August 5, 2025 and September 2, 2025 at 6:00pm at City Hall.

### Discussion

The Rezoning Application and Supporting Documents are attached.

The Developer is requesting to rezone a portion of the Tract 2-G, John Corner Survey, Abstract 8 that is currently zoned PD-Planned Development to be R2-Multi-family Residential. The intended use of the 12.15-acre subject tract is to construct multifamily apartments. The remainder of the development will remain in the current commercial zoning.

The first step in the rezoning process is calling a public hearing. This is the only action needed tonight.

1<sup>st</sup> Public Hearing: August 5, 2025

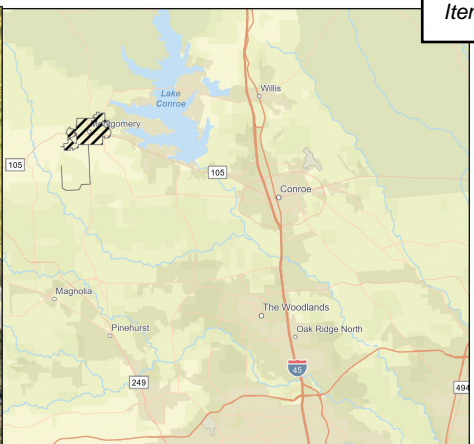
2<sup>nd</sup> Public Hearing: September 2, 2025

P&Z Consideration and Possible Action: September 2, 2025

### Approved By

City Staff	Ruby Beaven	Date: 06/25/2025
------------	-------------	------------------






**Legend**

**Jurisdictional Boundaries**

- City Limits
- City ETJ
- Parcel Boundary

**Zoning**

- Historical Preservation
- Historical Landmark
- Commercial
- Industrial
- Institutional
- Multi-Family
- Planned Development
- Residential



1 inch equals 146 feet

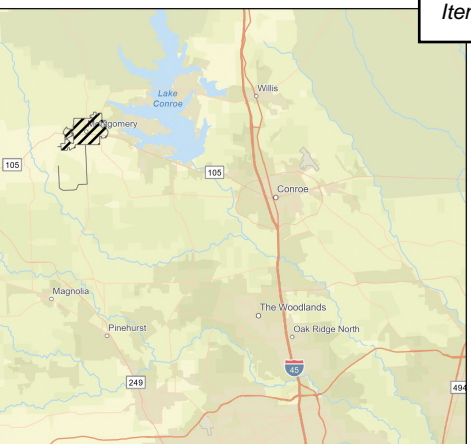
CITY OF MONTGOMERY  
CURRENT ZONING MAP  
BCS  
(June 2025)



Disclaimer: This product is offered for graphical purposes only and may not be suitable for legal, engineering, or surveying purposes. The information shown on this exhibit represents the approximate location of property, municipal boundaries or facilities.







**Legend**

**Jurisdictional Boundaries**

- City Limits
- City ETJ
- Parcel Boundary
- Zoning
  - Historical Preservation
  - Historical Landmark
  - Commercial
  - Industrial
  - Institutional
  - Multi-Family
  - Planned Development
  - Residential



1 inch equals 146 feet

CITY OF MONTGOMERY  
FUTURE ZONING MAP  
BCS  
(June 2025)



Disclaimer: This product is offered for graphical purposes only and may not be suitable for legal, engineering, or surveying purposes. The information shown on this exhibit represents the approximate location of property, municipal boundaries or facilities.







**L SQUARED ENGINEERING**  
MUNICIPAL COMMERCIAL RESIDENTIAL

3307 W Davis Suite 100  
Conroe, TX 77304  
P: 936-647-0420 F: 936-647-2366  
www.L2Engineering.com

June 17, 2025

City of Montgomery  
101 Old Plantersville Road  
Montgomery, TX 77316

RE: Rezoning request for Buffalo Springs Drive Apartments (BCS Montgomery)

The subject tract (Montgomery Appraisal District ID 331739) currently consists of Commercial and Planned Development Zoning according to the City of Montgomery's latest zoning map. With the ongoing Development Agreement with BCS Montgomery, a portion of the subject tract is proposed as a multi-family development. This request is to re-zone the 12.148 acres as multi-family to match the intended use within the overall development. The remaining acreage of the subject tract outside of the 12.148 acres will utilize the current zoning of Commercial.

With this rezoning request, we believe we are providing walkability to the existing and future commercial uses adjacent to the 12-acres. Please feel free to contact me at 936-647-0420 if you have any questions or concerns.

Thank you,

Lesley Reel, PE  
L Squared Engineering  
936-647-0420  
Lreel@L2Engineering.com

Attachments: Rezoning Application, Preliminary Site Plan





# Rezoning Application

City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316  
(936) 597-6434

Item 10.

**Upon completion return application to [dmccorquodale@ci.montgomery.tx.us](mailto:dmccorquodale@ci.montgomery.tx.us)**

## Contact Information

Property Owner(s): BCS Montgomery LLC  
Address: 5847 San Felipe, Suite 2030 Houston, TX  
Zip Code: 77057 Phone: 713-703-9730  
Email Address: jack.burgher@bcscapitalgroup.com  
Applicants: L Squared Engineering  
Address: 3307 W Davis Street #100 Conroe, TX  
Zip Code: 77304 Phone: 936-647-0420  
Email Address: Lreel@L2engineering.com

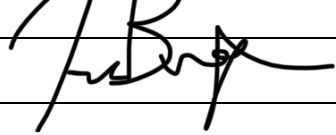
## Parcel Information

Property Identification Number (MCAD R#): 331739  
Legal Description: A portion of Tract 2-G, John Corner Survey, Abstract 8  
Street Address or Location: Property south of C B Stewart Drive and N Buffalo Springs Drive  
Acreage: 12.148 acres Present Zoning: B and PD Present Land Use: vacant  
Proposed Zoning: R2 Proposed Land Use: multi-family development

Is the proposed use in compliance with the Future Land Use Plan? ☐ YES ☐ NO ☐ N/A

## Additional Information

Owner(s) of record for the above described parcel:

Signature:  Date: 06/17/2025  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Note: Signatures are required for all owners of record for the property proposed for Special Use Permit. Attach additional signatures on a separate sheet of paper.*

**Date Received**

Office Use

## **\*Additional Information\***

Item 10.

The following information must also be submitted:

- ☐ Cover letter on company letterhead stating what is being asked. ☐
- ☐ Metes and Bounds.
- ☐ All applicable fees and payments.
- ☐ Copies of all deeds or a title opinion from a licensed attorney establishing current ownership of the property for which the zoning change is sought.
- ☐ A site plan. If there are existing structures, parking, curb cuts and drainage they must be shown.
- ☐ The application from must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the rezoning request shall be submitted.
- ☐ Payment of all Indebtedness Attributable to the subject property.

## **\*Public Hearings\***

Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any amendment to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

Planning and Zoning Commission: **1<sup>st</sup> Tuesday of every month at 6:00 p.m.**

City Council: **2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month at 6:00 p.m.**

## **\*Protests\***

If a protest against a proposed zoning change including PDD and SUP requests has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the land included in such a proposed change or those owners of property immediately adjacent to the subject property and extending two hundred feet (200) there from, such zoning change shall not become effective except by a three-fourths (3/4) vote of governing body in accordance with the provisions of Section 211.006 of the Texas Local Government Code.

## **\*Resubmission\***

Rezoning requests which have been heard and decided by the Council of the City of Montgomery may not be re-filed with the City for six (6) months after the date of such decision by the Council, absent a change in circumstances.

Rezoning requests for the same property to a different classification than the denied request may be re-filed prior to the expiration of six (6) months.



## EXHIBIT \_\_, PAGE 1 OF 3 PAGES

County: Montgomery  
 Project: 20500 Eva St Montgomery 12 Acre  
 M&B No: 25-083(r)  
 CS Job No: 24222

**METES AND BOUNDS DESCRIPTION OF A 12.148 ACRE TRACT**

Being a tract of land containing 12.148 acres, located in the John Corner Survey, Abstract Number 9, in Montgomery County, Texas; Said 12.148 acres being out of the remainder of a called 84.10 acre tract of land recorded in the name of Mara Moja Holdings, LLC in Montgomery County Clerk's File (M.C.C.F.) Number 2004110206 and being out of Restricted Reserve "B" of Minor Replat of Mara Mojaville, a subdivision recorded in Cabinet "Z", Sheet 1624, of the Montgomery County Map Records (M.C.M.R.); Said 12.148 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System of 1983, Central Zone):

**BEGINNING**, at a 5/8-inch iron rod found at the north corner of Restricted Reserve "A" of said Minor Replat of Mara Mojaville, on the southeast Right-of-Way (R.O.W.) line of C.B. Stewart Drive (width varies per Cabinet "Y", Sheet 51, of the M.C.M.R.), for the most westerly corner of the herein described tract;

**THENCE**, with the southeast R.O.W. line of said C.B. Stewart Drive, the following three (3) courses:

1. 205.87 feet along the arc of a curve to the right, having a radius of 610.00 feet, a central angle of  $19^{\circ} 20' 11''$ , and a chord that bears North  $38^{\circ} 16' 00''$  East, a distance of 204.89 feet to a 5/8-inch iron rod found at a point of tangency;
2. North  $47^{\circ} 56' 06''$  East, a distance of 396.03 feet to a 5/8-inch iron rod found at an angle point;
3. North  $54^{\circ} 32' 00''$  East, a distance of 71.22 feet to a 5/8-inch iron rod found at the west end of a transition line from the southeast R.O.W. line of said C.B. Stewart Drive to the southwest R.O.W. line of Buffalo Springs Drive (width varies per Cabinet "Y", Sheet 51, of the M.C.M.R.), for the westerly north corner of the herein described tract;

**THENCE**, South  $89^{\circ} 13' 47''$  East, with said transition line, a distance of 16.46 feet to a 5/8-inch iron rod found at the east end of said transition line, for the easterly north corner of the herein described tract;

## EXHIBIT \_\_, PAGE 2 OF 3 PAGES

**THENCE**, with the southwest R.O.W. line of said Buffalo Springs Drive, the following three (3) courses:

1. South 52° 59' 33" East, a distance of 95.45 feet to a 5/8-inch iron rod found at an angle point;
2. South 47° 27' 18" East, a distance of 545.16 feet to a 5/8-inch iron rod found at the beginning of a curve to the right;
3. 87.66 feet along the arc of said curve to the right, having a radius of 710.00 feet, a central angle of 07° 04' 26", and a chord that bears South 43° 55' 06" East, a distance of 87.60 feet to a 5/8-inch capped iron rod set for the most easterly corner of the herein described tract;

**THENCE**, through and across said remainder tract, the following four (4) courses:

1. South 87° 35' 42" West, a distance of 133.48 feet to a 5/8-inch capped iron rod set at the beginning of a curve to the left;
2. 45.27 feet along the arc of said curve to the left, having a radius of 30.00 feet, a central angle of 86° 27' 26", and a chord that bears South 44° 54' 53" West, a distance of 41.09 feet to a 5/8-inch capped iron rod set at a point of tangency;
3. South 00° 41' 22" East, a distance of 333.33 feet to a 5/8-inch capped iron rod set for the southeast corner of the herein described tract;
4. North 89° 19' 38" West, at a distance of 445.76 feet pass the east line of said Restricted Reserve "B", continuing through and across said Restricted Reserve "B" a total distance of 620.73 feet to a 5/8-inch capped iron rod set for the southwest corner of the herein described tract;

**THENCE**, continuing through and across said Restricted Reserve "B", the following two (2) courses:

1. North 04° 42' 11" West, a distance of 72.55 feet to a 5/8-inch capped iron rod set for an angle point;
2. North 34° 33' 56" West, a distance of 140.83 feet to a 5/8-inch capped iron rod set on a northerly west line of said Restricted Reserve "B" and on the east line of said Restricted Reserve "A";

## EXHIBIT \_\_, PAGE 3 OF 3 PAGES

**THENCE**, North 02° 13' 14" West, with a line common to said Restricted Reserves "A" and "B", a distance of 106.54 feet to a 5/8-inch iron rod found at the northerly northwest corner of said Restricted Reserve "B" and the northeast corner of said Restricted Reserve "A";

**THENCE**, North 61° 57' 37" West, with the north line of said Restricted Reserve "A", a distance of 186.90 feet to the **POINT OF BEGINNING** and containing 12.148 acres of land.

An ALTA/NSPS Land Title Survey of the herein described tract was prepared in conjunction with and accompanies this description.

---

Chris Rhodes, R.P.L.S.  
Texas Registration Number 6532  
CIVIL-SURV LAND SURVEYING, LC  
PH: (713) 839-9181  
May 27, 2025

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

**SPECIAL WARRANTY DEED WITH VENDOR'S LIEN**

STATE OF TEXAS                               §  
    §       KNOW ALL PERSONS BY THESE PRESENTS:  
 COUNTY OF MONTGOMERY               §

THAT **MARA MOJA HOLDINGS, LTD.**, a Texas limited partnership ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration paid by **BCS MONTGOMERY LLC**, a Texas limited liability company ("Grantee"), whose mailing address is 1940 Fountain View Drive, Suite 220, Houston, Texas 77057, HAS GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES GRANT, BARGAIN, SELL and CONVEY unto Grantee all that certain land situated in Montgomery County, Texas, as more particularly described on Exhibit "A" which is attached hereto and incorporated herein by reference for all purposes, together with all appurtenances thereon or in anywise appertaining thereto and all buildings, structures, fixtures and improvements located thereon (said land, improvements and appurtenances being herein together referred to as the "Property").

All or a portion of the consideration was advanced by Grantor at the special instance and request of Grantee, which amount constitutes all or a portion of the proceeds of a loan from Grantor to Grantee evidenced by that certain Promissory Note dated of even date herewith in the original principal sum stated therein (the "Note"). The Note is secured by the vendor's lien and superior title herein retained by Grantor and by the lien created by that certain Deed of Trust dated of even date herewith executed by Grantee in favor of Hilliary Dumas, Trustee for the benefit of Grantor, covering the Property hereby conveyed.

This conveyance is being made by Grantor and accepted by Grantee subject only to those certain title exceptions set forth in Exhibit "B" attached hereto and incorporated herein by this reference (the "Permitted Exceptions"), but only to the extent that such Permitted Exceptions are valid, existing, and, in fact, affect the Property.

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's heirs, legal representatives, successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's heirs, legal representatives, successors and assigns to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's heirs, legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, to the Permitted Exceptions.

For the same consideration, Grantor hereby GRANTS, BARGAINS, SELLS, and CONVEYS, without warranty express or implied, all interest, if any, of Grantor in (i) strips or gores, if any, between the Property and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Property.

Ad valorem taxes for the year of this deed have been prorated; accordingly, by its acceptance of this deed, Grantee assumes responsibility to pay all ad valorem taxes on the Property for such year and all subsequent years.



But it is expressly agreed and stipulated that the vendor's lien retained against the above-described Property, shall remain until the above-described Note, and all interest thereon, is fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

EXECUTED effective as of the 15<sup>th</sup> day of April, 2025.

MARA MOJA HOLDINGS, LTD.,  
a Texas limited partnership

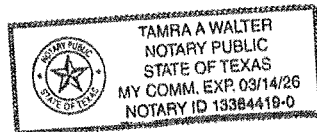
By: Mara Moja Management, LLC,  
its general partner

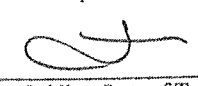
By:   
Philip LeFevre, President

THE STATE OF TEXAS       §  
   §  
COUNTY OF MONTGOMERY   §

This instrument was acknowledged before me on the 15 day of APRIL, 2025  
by Philip LeFevre, President of Mara Moja Management, LLC, which is the general partner of Mara Moja Holdings, Ltd., a Texas limited partnership, on behalf of said limited partnership.

[Seal]



  
Notary Public—State of Texas

**EXHIBIT "A"**

County: Montgomery  
 Project: 20500 Eva St Montgomery  
 M&B No: 24-226(r)  
 CS Job No: 24222

**METES AND BOUNDS DESCRIPTION OF A 32.409 ACRE TRACT**

Being a tract of land containing 32.409 acres, located in the John Corner Survey, Abstract Number 9, in Montgomery County, Texas; Said 32.409 acres being out of a called 84.10 acre tract of land recorded in the name of Mara Moja Holdings, LLC in Montgomery County Clerk's File (M.C.C.F.) Number 2004110206 and being out of Restricted Reserve "B" of Mara Mojaville, a subdivision recorded in Cabinet "Z", Sheet 1624, of the Montgomery County Map Records (M.C.M.R.); Said 32.409 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System of 1983, Central Zone):

**BEGINNING**, at a 5/8-inch iron rod found at the north corner of Restricted Reserve "A" of said Mara Mojaville on the southeast Right-of-Way (R.O.W.) line of C.B. Stewart Drive (width varies per Cabinet "Y", Sheet 51, of the M.C.M.R.);

**THENCE**, with the southeast R.O.W. line of said C.B. Stewart Drive the following three (3) courses:

1. 205.87 feet along the arc of a curve to the right, having a radius of 610.00 feet, a central angle of  $19^{\circ} 20' 11''$ , and a chord that bears North  $38^{\circ} 16' 00''$  East, a distance of 204.89 feet to a 5/8-inch iron rod found for a point of tangency;
2. North  $47^{\circ} 56' 06''$  East, a distance of 396.03 feet to a 5/8-inch iron rod found for an angle point;
3. North  $54^{\circ} 32' 00''$  East, a distance of 71.22 feet to a 5/8-inch iron rod found for the west corner of a transition line from the southeast R.O.W. line of said C.B. Stewart Drive to the southwest R.O.W. line of Buffalo Springs Drive (width varies per Cabinet "Y", Sheet 51, of the M.C.M.R.);

**THENCE**, South  $89^{\circ} 13' 47''$  East, with said transition line, a distance of 16.46 feet to a 5/8-inch iron rod found for the east corner of said transition line;

**THENCE**, with the southwest and west R.O.W. lines of said Buffalo Springs Drive the following six (6) courses:

1. South  $52^{\circ} 59' 33''$  East, a distance of 95.45 feet to a 5/8-inch iron rod found for an angle point;
2. South  $47^{\circ} 27' 18''$  East, a distance of 545.16 feet to a 5/8-inch iron rod found for the beginning of a curve to the right;
3. 689.43 feet along the arc of a curve to the right, having a radius of 710.00 feet, a central angle of  $55^{\circ} 38' 08''$ , and a chord that bears South  $19^{\circ} 38' 14''$  East, a distance of 662.66 feet to a 5/8-inch capped iron rod set for a point of tangency;
4. South  $08^{\circ} 10' 49''$  West, a distance of 285.23 feet to a 5/8-inch capped iron rod found for an angle point;

5. South 11° 32' 49" West, a distance of 340.59 feet to a 5/8-inch iron rod found for an angle point;
6. South 08° 10' 49" West, a distance of 146.53 feet to a 5/8-inch capped iron rod set at the northwest intersection of said Buffalo Springs Drive and State Highway 105 (width varies) on the south line of said 84.10 acre tract;

**THENCE**, North 81° 56' 46" West, with south line of said 84.10 acre tract and the north R.O.W. line of said State Highway 105, a distance of 793.09 feet to a 5/8-inch capped iron rod found for the southeast corner of a called 6.59 acre tract of land recorded in the name of AMJJ, LLC in M.C.C.F. Number 2013017790, from which a Texas Department of Transportation monument found for an angle point in the north line of said State Highway 105 bears North 81° 56' 46" West, a distance of 288.26 feet;

**THENCE**, North 01° 53' 11" East, through and across said 84.10 acre tract and said Restricted Reserve "B" and with the east line of said 6.59 acre tract, a distance of 776.31 feet to a 5/8-inch capped iron rod found for the northeast corner of said 6.59 acre tract;

**THENCE**, North 89° 22' 41" West, continuing through and across said 84.10 acre tract and said Restricted Reserve "B" and with the north line of said 6.59 acre tract, a distance of 388.34 feet to a 5/8-inch capped iron rod found for the northwest corner of said 6.59 acre tract on the southeast R.O.W. line of aforesaid C.B. Stewart Drive;

**THENCE**, North 02° 24' 12" East, with the west line of said Restricted Reserve "B" and the southeast R.O.W. line of said C.B. Stewart Drive, a distance of 30.01 feet to a 5/8-inch capped iron rod set at the northwest corner of said Restricted Reserve "B" and the southwest corner of Restricted Reserve "A" of said Mara Mojaville;

**THENCE**, South 89° 23' 37" East, with a line common to said Restricted Reserve "B" and said Restricted Reserve "A", a distance of 339.00 feet to a 5/8-inch capped iron rod set for an angle point;

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

1. North 04° 42' 11" West, a distance of 116.44 feet to a 5/8-inch capped iron rod set for an angle point;
2. North 34° 33' 56" West, a distance of 140.83 feet to a 5/8-inch capped iron rod set on the east line of said Restricted Reserve "A";

**THENCE**, with the lines common to said Restricted Reserve "A" and "B", the following two (2) courses:

1. North 02° 13' 14" West, a distance of 106.54 feet to a 5/8-inch iron rod found for the northeast corner of said Restricted Reserve "A";

**THENCE**, North 61° 57' 37" West, with the north line of said Restricted Reserve "A", a distance of 186.90 feet to the **POINT OF BEGINNING** and containing 32.409 acres of land.

**EXHIBIT "B"**

1. The restrictive covenants set forth in Cabinet Z, Sheet 1624 of the Map Records of Montgomery County, Texas.
2. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in this Exhibit B or not.
3. All conveyances, contracts, deeds, reservations, exceptions, limitations, leases, and similar interests in or to any geothermal energy and associated resources below the surface of the land, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in this Exhibit B or not.
4. A utility easement granted to Mid-South Electric Cooperative Association as set forth in instrument recorded under Montgomery County Clerk's File No. 9212040.
5. A utility easement granted to Gulf States Utilities Company as set forth in instrument recorded in Montgomery County Clerk's File No. 9637970, as shown on ALTA/NSPS Land Title Survey dated February 5, 2025, last revised April 10, 2025, prepared by Michael Hall, RPLS No. 5765, of Civil-Surv Land Surveying, LLC, Project No. CS 24222.
6. A utility easement granted to James Clifton Rampy, et al., as set forth in instrument recorded in Montgomery County Clerk's File No. 2004-110201, as shown on ALTA/NSPS Land Title Survey dated February 5, 2025, last revised April 10, 2025, prepared by Michael Hall, RPLS No. 5765, of Civil-Surv Land Surveying, LLC, Project No. CS 24222.
7. Terms, provisions, and easements contained in Mutual Reciprocal Easement Agreement for Utilities recorded under Montgomery County Clerk's File No. 2004-110202, as shown on ALTA/NSPS Land Title Survey dated February 5, 2025, last revised April 10, 2025, prepared by Michael Hall, RPLS No. 5765, of Civil-Surv Land Surveying, LLC, Project No. CS 24222.
8. A right of way easement granted to AMJJ, LLC as set forth in Montgomery County Clerk's File No. 2013017792, as shown on ALTA/NSPS Land Title Survey dated February 5, 2025, last revised April 10, 2025, prepared by Michael Hall, RPLS No. 5765, of Civil-Surv Land Surveying, LLC, Project No. CS 24222.
9. All the oil, gas and other minerals, and all other elements not considered a part of the surface estate, the royalties, bonuses, rentals, and all other rights in connection with same as set forth in Volume 225, Page 627 of the Deed Records of Montgomery County, Texas.
10. All the oil, gas and other minerals, and all other elements not considered a part of the surface estate, the royalties, bonuses, rentals, and all other rights in connection with same as set forth in Montgomery County Clerk's File No. 8524156.
11. All the oil, gas and other minerals, and all other elements not considered a part of the surface estate, the royalties, bonuses, rentals, and all other rights in connection with same as set forth in Montgomery County Clerk's File No. 2004-105796.

12. All the oil, gas and other minerals, and all other elements not considered a part of the surface estate, the royalties, bonuses, rentals, and all other rights in connection with same as set forth in Montgomery County Clerk's File No. 2004-110206.
13. Waiver of Surface Rights contained in instrument recorded in Volume 880, Page 134 of the Deed Records of Montgomery County, Texas.
14. Oil, Gas and Mineral Lease(s) granted to Carlton D. Speed, Jr. in instrument recorded in Volume 307, Page 339 of the Deed Records of Montgomery County, Texas.
15. A right-of-way easement granted to AMJJ, LLC as set forth in instrument recorded in Montgomery County Clerk's File No. 2013017793, as shown on ALTA/NSPS Land Title Survey dated February 5, 2025, last revised April 10, 2025, prepared by Michael Hall, RPLS No. 5765, of Civil-Surv Land Surveying, LLC, Project No. CS 24222.
16. Building lines and easements as set forth in plat recorded in Cabinet Z, Sheet 1624 of the Map Records of Montgomery County, Texas, as shown on ALTA/NSPS Land Title Survey dated February 5, 2025, last revised April 10, 2025, prepared by Michael Hall, RPLS No. 5765, of Civil-Surv Land Surveying, LLC, Project No. CS 24222.



Doc #: 2025036270

Pages 7

E-FILED FOR RECORD

04/16/2025 09:04AM

*L. Brandon Steinmann*County Clerk,  
Montgomery County, TexasSTATE OF TEXAS,  
COUNTY OF MONTGOMERY

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

04/16/2025

*L. Brandon Steinmann*County Clerk,  
Montgomery County, Texas





BUFFALO SPRINGS DR. APARTMENTS																						
UNIT																		TOTALS				
UNIT TYPE	DESCRIPTION	NET SQ. FT.	GROSS SQ. FT.	BLDG NO	1	2	3	4	5	6	7	8	9	10	11	No of Units	NET SQ. FT. PER UNIT TYPE	GROSS SQ. FT. PER UNIT TYPE	TOTAL UNITS	%		
				BLDG TYP.	I	I	II	II	I	I	I	I	II	I	II							
A0	1 BED / 1 BATH	719	719		6	6	12	12	6	6	6	6	12	6	12	90	64,710	64,710	192	62%		
A1	1 BED / 1 BATH	812	812		6	6	12	12	6	6	6	6	12	6	12	90	73,080	73,080				
A1A	1 BED / 1 BATH	794	794		0	0	3	3	0	0	0	0	3	0	3	12	9,528	9,528				
B1	2 BED / 2 BATH	1,077	1,077		6	6	9	9	6	6	6	6	9	6	9	78	84,006	84,006	120	38%		
B1A	2 BED / 2 BATH	1,121	1,121		3	3	0	0	3	3	3	3	0	3	0	21	23,541	23,541				
B1B	2 BED / 2 BATH	1,153	1,153		3	3	0	0	3	3	3	3	0	3	0	21	24,213	24,213				
					24	24	36	36	24	24	24	24	36	24	36	312	279,078	279,078	312	100%		
AVERAGE UNIT SIZE		894																				
PARKING PROVIDED		497	(50 GARAGES)																			
PARKING RATIO		1.59																				