

NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, July 07, 2025
6:00 P.M.**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, July 07, 2025 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): +1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 861 7772 1483 Passcode 424143. The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. Invocation - Led by Chaplain Steve Allison of VFW Tomball Post 2427
- C. Pledges to U.S. and Texas Flags
- D. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*
- E. Reports and Announcements
 - 1. Announcements

I. Upcoming Events:

July 10, 2025 – Kaffeeklatsch (Tomball Fire Rescue and Northwest Community Health EMS) from 8:30 – 10 a.m. at Tomball Community Center

July 10, 2025 - Redevelopment of the First Baptist Church (Tomball Economic Development Corporation) from 5:00 - 7:00 p.m. at First Baptist Church Tomball

July 11, 2025 – Kids Club from 10 a.m. – noon at Tomball Community Center

August 1, 2025 – Kids Club from 8 – 10 a.m. at Jerry Matheson Pool

August 1, 2025 – 53rd Annual Tomball Night from 5 – 10 p.m. at 100-300 block of Market St.

2. Reports by City staff and members of council about items of community interest on which no action will be taken:
- F. New Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*
1. Approve Minutes of June 16, 2025, Special and Regular City Council meetings.
 2. Approve request from Tomball High School Senior Picnic for City Support and In-Kind Services at Juergens Park and Matheson Park, on Wednesday, October 8, 2025, from 8:45 a.m. to 2:00 p.m.
- G. New Business
1. Approve Resolution No. 2025-25, a Resolution of the City Council of the City of Tomball, Texas, declaring the intention of the City of Tomball, Texas, to institute proceedings to annex certain territory; describing such territory; setting July 21, 2025 at 6 o'clock P.M. as the date and time for a public hearing at which all interested parties shall have an opportunity to be heard; providing for a notice of publication of such public hearings; and directing preparation of a municipal service plan for the territory proposed to be annexed (0.8041 of one acre or 35,206 square feet of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; 31.994 acres of land situated in the Jess Pruitt Survey, Abstract Number 629, Harris County, Texas; and 17.307 acres of land situated in

the Jess Pruitt Survey, Abstract Number 629, Harris County, Texas); and providing for severability.

2. Approve Resolution No. 2025-23, a Resolution of the City Council of the City of Tomball, Texas, calling for a public hearing on August 4, 2025, for the creation of Tomball Public Improvement District No. 15 (Graylou Grove) and being located within the City of Tomball.

3. Approval of Certain Policy Revisions to the City of Tomball's Employee Handbook.

4. Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney's duty requires to be discussed in closed session

Sec. 551.072 – Deliberations regarding Real Property

H. Adjournment

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 3rd day of July 2025 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Thomas Harris III, TRMC
City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1019 for further information.

City Council Meeting Agenda Item Data Sheet

Meeting Date: July 7, 2025

Topic: Announcements of upcoming events

Upcoming Events:

- July 10, 2025 – Kaffeeklatsch (Tomball Fire Rescue and Northwest Community Health EMS) from 8:30 – 10 a.m. at Tomball Community Center
- July 11, 2025 – Kids Club from 10 a.m. – noon at Tomball Community Center
- August 1, 2025 – Kids Club from 8 – 10 a.m. at Jerry Matheson Pool
- August 1, 2025 – 53rd Annual Tomball Night from 5 – 10 p.m. at 100-300 block of Market St.

Background:

Origination: Marketing Department

Recommendation:

Party(ies) responsible for placing this item on agenda:

Chrislord Templonuevo, Marketing
Director

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____
If no, funds will be transferred from account # _____ To account # _____

Signed _____ Approved by _____
Staff Member Date City Manager Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: July 7, 2025

Topic:

Approve Minutes of June 16, 2025, Special and Regular City Council meetings.

Background:

Origination: City Secretary Office

Recommendation:

Approve Minutes

Party(ies) responsible for placing this item on agenda:

Shannon Bennett, Assistant City
Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____

If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____

To # _____
account _____

Signed _____

Staff Member

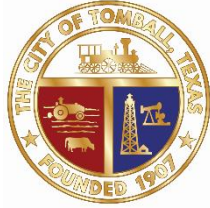
Date _____

Approved by _____

City Manager

Date _____

MINUTES OF SPECIAL CITY COUNCIL MEETING - WORKSHOP CITY OF TOMBALL, TEXAS



**Monday, June 16, 2025
4:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for June 16, 2025, 4:00 P.M., at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

A. Mayor L. Klein Quinn called the meeting to order at 4:00 P.M.

PRESENT:

Mayor Lori Klein Quinn
Council 1 John Ford
Council 2 Paul Garcia
Council 3 Dane Dunagin
Council 4 Lisa A. Covington
Council 5 Randy Parr

CITY STAFF PRESENT:

City Manager - David Esquivel
Assistant City Manager - Jessica Rogers
City Attorney – Loren Smith (arrived at 5:36 P.M.)
City Secretary – Thomas Harris III
Assistant City Secretary – Shannon Bennett
Director of Special Projects – Luisa Taylor
Records Specialist – Dayjah Whyte
Community Development Director – Craig Meyers
Police Chief – Jeff Bert
Assistant Fire Chief – Jeff Cook
Human Resources Director - Kristie Lewis
Finance Director - Bragg Farmer
Public Works Director - Drew Huffman
Project Manager- Meagan Mageo
Director of Marketing & Tourism - Chrislord Templonuevo
Interim I.T. Director – Ben Lato
TEDC Executive Director - Kelly Violette
Judge- Brett Peabody
Summer Intern - Ki Provencher
Police Officer – Erin McNeill

- B. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

No public comments were received.

C. General Discussion

1. Presentation and discussion by Freese and Nichols, Inc. regarding the Unified Development Code (UDC).

Erica Craycraft of Freese and Nichols, Inc. provided an overview of the Unified Development Code, highlighting key elements from the current draft and presenting discussion items to gather feedback.

2. Tomball Economic Development Corporation activity update.

Tomball Economic Development Corporation Executive Director Kelly Violette provided an activity update.

D. Proposed Future Agenda Items (To be discussed in order or at Councils discretion, time permitting)

1. No Council discussion was held - Approve a professional services agreement with Oller Engineering, Inc for engineering services related to the Disaster Recovery Reallocation Program (DRRP) Grant Program for a not-to-exceed amount to be determined, therefor, and authorize the City Manager to execute any and all documents related to the services. These expenditures are to be paid from grant funds received from the Disaster Recovery Reallocation Program (DRRP).

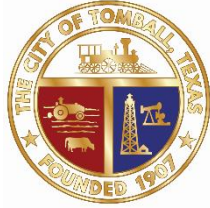
E. Mayor Lori Klein Quinn adjourned the meeting at 6:47 P.M.

PASSED AND APPROVED the 7th of day July 2025.

Thomas Harris, III, TRMC
City Secretary

Lori Klein Quinn
Mayor

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, June 16, 2025
6:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for June 16, 2025, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

A. Mayor L. Klein Quinn called the meeting to order at 6:01 P.M.

PRESENT:

Mayor Lori Klein Quinn
Council 1 John Ford
Council 2 Paul Garcia
Council 3 Dane Dunagin
Council 4 Lisa A. Covington
Council 5 Randy Parr

CITY STAFF PRESENT:

City Manager - David Esquivel
Assistant City Manager - Jessica Rogers
City Attorney – Loren Smith
City Secretary – Thomas Harris III
Assistant City Secretary – Shannon Bennett
Director of Special Projects – Luisa Taylor
Records Specialist – Dayjah Whyte
Community Development Director – Craig Meyers
Police Chief – Jeff Bert
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Human Resources Director - Kristie Lewis
Finance Director - Bragg Farmer
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Project Manager- Meagan Mageo
Director of Marketing & Tourism - Chrislord Templonuevo
Interim I.T. Director – Ben Lato
TEDC Executive Director - Kelly Violette
Judge- Brett Peabody
Summer Intern - Ki Provencher
Police Officer – Erin McNeill

- B. Invocation - Led by Alonso Blanchet, Real Life Ministries
- C. Pledges to U.S. and Texas Flags led by City Secretary Thomas Harris III
- D. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

Bruce Hillegeist, 20339 Telge Rd., spoke in favor of agenda Item G2 and G3 regarding Tomball night.

- E. Reports and Announcements
 - 1. Announcements

I. Upcoming Events:

- July 1, 2025 – Battle of the Badges Blood Drive from 10 a.m. – 2 p.m. at Fire Station #1
 - July 4, 2025 – July 4th Celebration & Street Fest from 6 p.m. – 9 p.m. at Business 249 behind Kroger
 - July 10, 2025 – Kaffeeklatsch (Tomball Fire Rescue and Northwest Community Health EMS) from 8:30 a.m. – 10 a.m. at Tomball Community Center
 - July 11, 2025 – Kids Club from 10 a.m. – noon at Tomball Community Center
- 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Mayor Klein Quinn reported two Centenarian Programs were held
 - Mayor Klein Quinn and Council Lisa Covington attended the DUNK Tank Fundraiser time for Tomball PD and FD's Holiday Heroes

F. Old Business

1. Adopt, on Second Reading, Ordinance No. 2025-08, an Ordinance Altering the Prima Facie Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Certain Streets and Highways, of Parts Thereof, within the Corporate Limits of The City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance.

Public Works Director Drew Huffman provided an overview of the item.

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington to approve Ordinance No. 2025-08,

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

- G. New Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

1. Approve Minutes of June 2, 2025, Special and Regular City Council meetings.
2. Approve request from Greater Tomball Area Chamber of Commerce for City Support and In-Kind Services for the 53rd annual Tomball Night on Market St and around downtown Tomball, on Friday, August 1, 2025.
3. Approve Resolution No. 2025-24, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 53rd annual Tomball Night on Market St and around downtown Tomball, on Friday, August 1, 2025
4. Approve a Professional Services Agreement with AIG Technical Services, LLC for Project Number 2025-10005, N. Elm Street Parking (phase II), for a total contract amount not-to-exceed \$196,801.60, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. This expenditure is included in the Fiscal Year 2024-2025 Capital Improvement Budget.

5. Approve a professional services agreement with Goodwin-Lasiter-Strong for professional engineering services related to the FEMA Hazard Mitigation Grant Program for an amount not-to-exceed \$106,000, therefor, and authorize the City Manager to execute any and all documents related to the services. These expenditures are to be paid from grant funds received from the FEMA Hazard Mitigation Grant Program, if received.
6. Approve an amendment to the Professional Services Agreement with Webber Waterworks, LLC for Project Number 2023-10003, South Wastewater Treatment Plant Expansion project, for a total amount of \$49,278,265.74 (total contract not-to-exceed amount \$58,582,595.95), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents. The expenditure is included in the Fiscal Year 2024-2025 Budget as part of the 2025-2029 Capital Improvement Plan.
7. Approve a contract with Capital Underground Utilities, LLC for Project Number 2025-10003, Oak & Clayton Water Line, for a total contract amount not-to-exceed \$250,803 (Bid No. 2025-14), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. This expenditure is included in the Fiscal Year 2024-2025 Capital Improvement Budget.
8. Consideration to approve Resolution 2025-22, a Resolution of the City Council of the City of Tomball, Texas, accepting the Preliminary Service and Assessment Plan for Authorized Improvements within the Wood Leaf Reserve Public Improvement District Improvement Area Three (IA#3); Setting a Date for a Public Hearing on the Proposed Levy of Assessments; Authorizing the Publication and Mailing of Notice; and Enacting Other Provisions Relating thereto.
9. Adopt On First and Final Reading, Ordinance No. 2025-21, An Ordinance authorizing the issuance and sale of the City of Tomball, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2025; levying a tax and providing for the security and payment thereof; and enacting other provisions relating thereto.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to Approve New Business Consent Agenda Items:

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

H. New Business

1. Authorize the City Manager to execute the necessary documents for a grant application through the Federal Emergency Management Agency Staffing for Adequate Fire and Emergency Response (SAFER), in the amount not to exceed \$460,000 annually for 3 years, to support four person staffing of Firehouse 2 and Firehouse 5.

Assistant Fire Chief Jeffrey Cook provided an overview of the item.

Motion made by Council 5 Parr, Seconded by Council 4 Covington to approve the City Manager to execute the SAFER grant application.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

2. Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session

Sec. 551.076 – Deliberation regarding the implementation of security personnel – Police Department

- Executive Session Started: 6:28 P.M.
- Executive Session Ended: 7:02 P.M.

I. Mayor Lori Klein Quinn adjourned the meeting at 7:02 P.M.

PASSED AND APPROVED the 7th day of July 2025.

Thomas Harris III, TRMC
City Secretary

Lori Klein Quinn
Mayor

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: July 7, 2025

Topic:

Approve request from Tomball High School Senior Picnic for City Support and In-Kind Services at Juergens Park and Matheson Park, on Wednesday, October 8, 2025, from 8:45 a.m. to 2:00 p.m.

Background:

Tomball High School and Tomball High School Senior Parent Organization host this traditional annual event to bring outgoing seniors together. Parents organize the event and coordinate tournaments and games using City facilities. Lunch is prepared and served by parents at the Pavilion. There will be Harris County Precinct 4 SRO's on site.

Origination: Tomball High School Senior Picnic starts at 8:45 a.m. and finishes at 2 p.m. Setup will begin at 7 a.m. and breakdown will begin at 3 p.m. There will be an estimated 750 people at the event locations, Juergens Park and Matheson Park.

Recommendation:

To help with the efficiency of the event, I recommend approving their request of in-kind services: Public Works and coordination.

Party(ies) responsible for placing this item on agenda:

Chrislord Templonuevo, Marketing Director

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed _____	Approved by _____
Staff Member _____	City Manager _____
Date _____	Date _____



SPECIAL EVENT APPLICATION

CITY OF TOMBALL, TEXAS | 401 Market Street | Tomball, TX 77375 | 281-351-5484

An application to stage an event within the city of Tomball shall be filed with the Marketing & Tourism Team at least 180 days prior to the event. This application is not to be construed as authorizing or agreeing to any event until formally approved by the Tomball City Council.

Date: 6/16/25

Is this event Co-City sponsored? Yes ☐ No ☒

Request for permission to use a public venue for the following type of event (please check one):

Festival ☐ Community Event ☐ Arts & Crafts Event ☐ Music Event ☐ Other (specify) Special Event for

1. Event title: Senior Picnic for Tomball High School
 2. Sponsoring entity: Tomball High School and THS Senior Parent Organization
 3. Is this organization based in Tomball: Yes ☒ No ☐
 4. Is this organization *non-profit* ☒ or *for-profit* ☐ *Attach 501 (c) (3) tax exemption if applicable
 5. Contact: Mark Vierkant Phone: 281-357-3220 ext 2215
 6. Contact address: 30330 Quinn Road, Tomball 77375 (THS)
 7. Contact email: markvierkant@tomballisd.net
 8. Event date: 10/8/25
 9. Event times: Start 8:45 am Finish 2:00 pm Set-up 7:00 am Breakdown 3:00 pm
 10. Is this event for charity? Yes ☐ No ☒
 11. If yes, what charity? _____ Tax ID _____
 12. If yes, what percentage of net proceeds will be donated to the charity? _____
 13. On-site contact: Mark Vierkant Mobile #: 281-433-6699
 14. Estimated number of attendees: 750
 15. Detailed site map in attached: Yes ☐ No ☒
 16. Is this event open to the public: Yes ☐ No ☒
 17. Admission fee: \$ _____ Free ☒
 18. Time at which event staff will begin to arrive: 7:00 am
 19. The applicant will defend and hold harmless the city of Tomball from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such application including attorney fees and expenses. Initial MB
 20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured. Initial MB
 21. Name of insurance carrier: TASB Risk Management Fund
 22. Are Fireworks included in your event? ☒ No ☐ YES (Must submit Fireworks Event Application)
- Signature: [Signature]

FOR OFFICIAL USE - Fee required: Yes ☐ No ☐ Amount Due: \$ _____

Regular City Council

Agenda Item

Data Sheet

Meeting Date: July 7, 2025

Topic:

Approve Resolution No. 2025-25, a Resolution of the City Council of the City of Tomball, Texas, declaring the intention of the City of Tomball, Texas, to institute proceedings to annex certain territory; describing such territory; setting July 21, 2025 at 6 o'clock P.M. as the date and time for a public hearing at which all interested parties shall have an opportunity to be heard; providing for a notice of publication of such public hearings; and directing preparation of a municipal service plan for the territory proposed to be annexed (0.8041 of one acre or 35,206 square feet of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; 31.994 acres of land situated in the Jess Pruitt Survey, Abstract Number 629, Harris County, Texas; and 17.307 acres of land situated in the Jess Pruitt Survey, Abstract Number 629, Harris County, Texas); and providing for severability.

Background:

FLS Development ("Requestor") submitted a consent annexation request to the City Secretary's Office on June 6, 2025. Upon initial review, City staff requested additional documentation, including:

1. A Certificate of Convenience and Necessity (CCN) release from Aqua Water to the City of Tomball for water and wastewater service
2. Clarification regarding "Tract 1," a non-contiguous parcel included in the annexation request
3. A copy of the warranty deed

The Requestor provided the requested materials, which were reviewed and approved by City staff on June 12, 2025.

Pursuant to Chapter 43 of the Texas Local Government Code (LGC), the City may proceed with a consent annexation when all affected landowners support the request. The City Council may choose to annex the proposed territory under Subchapter C-3 of LGC Chapter 43, enter into a written service agreement with the landowners, and call a public hearing to consider adoption of an annexation ordinance.

Origination: City Secretary's Office

Recommendation: Approval of Resolution No. 2025-25, declaring the intention of annexation and ordering a public hearing.

Party(ies) responsible for placing this item on agenda: Thomas Harris III

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: X If yes, specify Account Number: _____

If no, funds will be transferred from account # _____ To account # _____

Signed	_____	Approved by	_____
	Staff Member-TEDC		Executive Director-TEDC
	Date		Date

CITY OF TOMBALL
HARRIS COUNTY, TEXAS

RESOLUTION NO. 2025-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DECLARING THE INTENTION TO INSTITUTE PROCEEDINGS TO ANNEX CERTAIN TERRITORY; DESCRIBING SUCH TERRITORY; SETTING JULY 21, 2025 AT 6 O'CLOCK PM AS THE DATE AND TIME FOR PUBLIC HEARING AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF SUCH NOTICE OF SAID PUBLIC HEARING; DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED (BEING 50.1051 ACRES CONSISTING OF 0.8041 OF ONE ACRE OR 35,026 SQUARE FEET OF LAND SITUATED IN THE ELIZABETH SMITH SURVEY, ABSTRACT NUMBER 70, HARRIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN UNRESTRICTED RESERVE "A" OF TOMBALL GREENS, A SUBDIVISION AS SHOWN ON MAP OR PLAT RECORDED UNDER FILM CODE NUMBER 440128 OF THE MAPS RECORDS OF HARRIS COUNTY, TEXAS; 31.994 ACRES OF LAND SITUATED IN THE JESSE PRUITT SURVEY, ABSTRACT NUMBER 629, HARRIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN RESIDUE OF CALLED 33.153 ACRES OF LAND DESCRIBED IN DEED RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FILE NUMBER U968294, A PORTION OF THOSE CERTAIN LOTS 489, 490, 495 AND 496 OF TOMBALL TOWNSITE, A SUBDIVISION AS SHOWN ON MAP OR PLAT RECORDED UNDER VOLUME 2, PAGE 65 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND THOSE CERTAIN LOTS 491, 492, 493 AND 494 OF SAID TOMBALL TOWNSITE; AND 17.307 ACRES OF LAND SITUATED IN THE JESSE PRUITT SURVEY, ABSTRACT NUMBER 629, HARRIS COUNTY, TEXAS, BEING THAT CERTAIN RESIDUE OF CALLED 1.1767 ACRES OF LAND DESCRIBED IN DEED RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FILE NUMBER 20120276873, THAT CERTAIN CALLED 5.678 ACRES OF LAND DESCRIBED IN DEED RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FILE NUMBER 20070687993, THAT CERTAIN RESIDUE OF CALLED 8.1479 ACRES OF LAND DESCRIBED IN DEED RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FILE NUMBER Y978757, THAT CERTAIN RESIDUE OF CALLED 4.998 ACRES OF LAND DESCRIBED IN DEED RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, UNDER COUNTY CLERK'S FIEL NUMBER 20110051826, THAT CERTAIN RESERVE "A" OF BRANDT HOLDING, A SUBDIVISION AS SHOWN ON MAP OR PLAT RECORDED UNDER FILM CODE NUMBER 679589 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, THAT CERTAIN LOT 1, BLOCK 1 OF SAID BRANDT HOLDINGS AND A PORTION OF THOSE CERTAIN LOTS 496, 497 AND 498 OF TOMBALL TOWNSITE, A SUBDIVISION AS SHOWN ON MAP OR PLAT RECORDED

UNDER VOLUME 2, PAGE 65 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS); AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, FLS Development, a Texas limited liability company, acting through its agent, William Shawn Speer, is the owner (the “Owner”) of a certain tracts of land being **50.1051** total acre consisting of the following:

- **0.8041** of one acre or 35,026 square feet of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas, being a portion of that certain Unrestricted Reserve “A” of Tomball Greens, a subdivision as shown on map or plat recorded under Film Code Number 440128 of the Maps Records of Harris County, Texas; and
- **31.994** acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being a portion of that certain residue of called 33.153 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk’s File Number U968294, a portion of those certain Lots 489, 490, 495 and 496 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Map Records of Harris County, Texas and those certain Lots 491, 492, 493 and 494 of said Tomball Townsite; and
- **17.307** acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being that certain residue of called 1.1767 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk’s File Number 20120276873, that certain called 5.678 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk’s File Number 20070687993, that certain residue of called 8.1479 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk’s File Number Y978757, that certain residue of called 4.998 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk’s File Number 20110051826, that certain Reserve “A” of Brandt Holding, a subdivision as shown on map or plat recorded under Film Code Number 679589 of the Map Records of Harris County, Texas, that certain Lot 1, Block 1 of said Brandt Holdings and a portion of those certain Lots 496, 497 and 498 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Map Records of Harris County, Texas.

WHEREAS, the Owner has petitioned that the City of Tomball annex the Property into the City of Tomball; and

WHEREAS, Texas Local Government Code, at Section 43.0673 requires a municipality to conduct one public hearing prior to the adoption of an ordinance annexing the Property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

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

Section 2. The City Council of the City of Tomball hereby declares its intention to institute proceedings to annex to the City the territory described in Exhibit “A” attached hereto and made a part hereof by the passage of an ordinance of annexation extending the general corporate limits of the City of Tomball for all purposes to include such territory.

Section 3. The City Council directs that the Council will hold a public hearing on JULY 21, 2025, at the City Council Chambers at 401 Market Street, Tomball, Texas 77375, at 6 o’clock p.m., where all interested persons will be provided the opportunity to be heard on the requests for annexation of a 50.1051 acres tract of land as more fully described in the Exhibit “A”.

Section 4. The City Secretary is directed to post notice of the public hearings in a newspaper of general circulation in the City once on or after the 20th day but before the 10th day before JULY 21, 2025.

Section 5. The appropriate City departments are directed to prepare the Municipal Service Plan for the Property to include provisions for police protection; fire protection; solid waste collection, maintenance of water, wastewater, and gas facilities; operation and maintenance of roads and streets; operation and maintenance of parks, playground and swimming pools; and operation and maintenance of any other publicly owned facility, building, or service, as needed.

Section 7. In the event any clause phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that

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

PASSED, APPROVED, AND RESOLVED this the 7th day of July, 2025.

Lori Klein Quinn, Mayor

ATTEST:

Thomas Harris III, City Secretary

**City of Tomball
Annexation Packet: Request of Owner
Coversheet**

This form is for use by a property owner that requests full-purpose annexation of a tract. If the subject tract is not individually owned and the petition is not by consent of all property owners, a different packet must be used. All property owners must consent to annexation and be signatories on the petition. **ONLY ONE OWNER NEEDS TO SUBMIT THE APPLICATION BUT ALL OWNERS MUST SIGN THE PETITION.**


The City of Tomball requires annexation as a condition of providing municipal water, wastewater and gas to property located outside of the City's full-purpose jurisdiction. Following annexation, available utility service can be provided per the Written Agreement Regarding Services under the same conditions as for other property located within the City of Tomball.

For information regarding the City's annexation process, please contact the City Secretary at 281-290-1019 or the Community Development Department at 281-290-1405.

Requesting annexation does not change the City's obligation to provide municipal services in accordance with Chapter 43 of the Texas Local Government Code. **ANNEXATION MUST BE COMPLETED PRIOR TO PROVIDING WATER, WASTEWATER AND GAS UTILITIES.**

I, the undersigned, submit this complete packet for purposes of seeking annexation into the City of Tomball.

FLS Development
Name of Owner submitting Application


William Shawn Speer (May 31, 2025 09:31 CDT)
Signature **Date**

- Cover sheet
- Property Owner Attestation Checklist
- Proof of Ownership
- Property Value & Anticipated Development Information Worksheet
- Petition Requesting Annexation
- Metes and Bounds Description and Map of Property (as Exhibit A)
- Written Agreement Regarding Services
- Attendance at Public Hearing (time and date to be posted)
- City Department Review Page

Submit complete application to: City Secretary
City of Tomball
401 Market Street
Tomball, TX 77375

Retain a copy for your records.

City of Tomball
Annexation Packet: Request of Owner
Property Owner Attestation Checklist

For the annexation request to be valid and complete under this application and process, the following must be true:

- Property in the Extraterritorial Jurisdiction of Tomball (land is contiguous and adjacent to the City).
- The property is not appraised for ad valorem tax purposes as land for:
 - o Agricultural management use; OR
 - o Wildlife management use; OR
 - o Timber land; OR
- The landowner declines (waives) to make a development agreement with the City.
- All landowners are in consent of and are signatories on the annexation.

These attestations will be made as part of the Petition.

City of Tomball
Annexation Packet: Request of Owner
Property Value & Anticipated Development Information Worksheet

1. Agent's Contact Information
Please list any agents acting on behalf of the annexation property owner(s) that should be notified of information pertaining to this annexation request.

Name: William Shawn Speer

Company Name: FLS Development

Mailing Address: 8765 Spring Cypress RD Suite L 213 Spring, TX 77379

Phone Number: (713) 249-8196

E-mail Address: shawn@harrisburgtx.com

(Attach a list of additional agents, if necessary.)

2. Property Addresses (List all property addresses associated with the proposed annexation property. Attach a list of additional property addresses, if necessary.)

a. 21714 Hufsmith Kohrville RD

b. 22110 Hufsmith Kohrville Rd

c. 21830 Hufsmith Kohrville Rd

d. 0 N Country Club Green Dr : Tract 1 detention reserve, please contact applicant's agent

e. _____

f. _____

3. Nature of Existing Property

Property Location: 30.08400° N, 95.59030° W Number of Acres: 50.1051

Current Assessed Valuation of Land: \$2,441,064

Current Assessed Valuation of Improvements: \$0

Total: \$2,441,064

Does this property current contain any structures?

 Yes (continue with subsection a through d)

X No (skip to #4)

- a. Residential

Are there existing residential structures on the property?

City of Tomball
Annexation Packet: Request of Owner
Property Value & Anticipated Development Information Worksheet

___ No (skip to b)
___ Yes (continue)
___ Total Units
___ Lots or ___ Acres

Number of Units by Type:

___ Single Family
___ Duplexes
___ Four-Plex
___ Patio Homes
___ Townhouses
___ Apartments

b. Office and Commercial

Are there existing Office or Commercial structures on the property?

___ No (skip to c)
___ Yes (continue)
Size (Sq. Ft.) _____
Structure Description _____
Exterior Site Improvements _____

Total Site Coverage _____

c. Institutional

Are there existing Institutional structures on the property?

___ No (skip to d)
___ Yes (continue)
Size (Sq. Ft.) _____
Structure Description _____
Exterior Site Improvements _____

Total Site Coverage _____

City of Tomball
Annexation Packet: Request of Owner
Property Value & Anticipated Development Information Worksheet

- d. Industrial
Are there existing Industrial structures on the property?
_____ No (skip to 4)
_____ Yes (continue)
Size (Sq. Ft.) _____
Structure Description _____
Exterior Site Improvements _____
Total Site Coverage _____
4. Anticipated Development
- a. Platting Status (check the applicable box below)
_____ A plat pertaining to this property **HAS BEEN** submitted to the Community Development Department for review.
__X__ A plat pertaining to this property **WILL BE** submitted to the Community Development Department for review in the near future.
_____ A plat pertaining to this property **WILL NOT BE** submitted within the next six (6) months.
- b. Zoning Status – NOTE: PROPERTIES ARE ANNEXED AS AGRICULTURAL (“AG”) ZONING, UNLESS ZONING RECLASSIFICATION IS REQUESTED BY THE PROPERTY OWNER IN CONJUNCTION WITH ANNEXATION.
- Is zoning reclassification requested in conjunction with the annexation process?
__X__ YES (ensure you contact the Community Development Department)
_____ NO
- Will zoning changes be required and requested in the future to accommodate anticipated development?
__X__ YES (Describe: _50.1051_ acres of _50.1051_ acres will be rezoned)
_____ NO
- c. Residential
Are Residential structures anticipated on the proposed property?
_____ NO (skip to d)
__X__ YES (continue)
__88__ Number of Units _\$625,000_ Value of Units (individual)
_____ Number of Lots or Acres _\$54,375,000_ Estimate Total Value
Number of Units by Type
__X__ Single-Family
_____ Duplexes
_____ Four-Plex

☐ Patio Homes
☐ Townhouses
☐ Apartments

Total Site Coverage

City of Tomball
Annexation Packet: Request of Owner
Property Value & Anticipated Development Information Worksheet

g. Staging of Anticipated Development (in percentages (%))

	Current Yr	Yr2	Yr3	Yr4	Yr5	Yr10	Yr20
Residential	10%	70%	20%				
Office/Commercial			10%	90%			
Institutional							
Industrial							

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR AND CITY COUNCIL OF THE GOVERNING BODY OF TOMBALL,
TEXAS:

The undersigned owners of the hereinafter described tract of land, which represents each and every owner of the land in the area requesting annexation, hereby waive, if required, a development agreement pursuant to Section 43.016, Texas Local Government Code, and petition your honorable Body to extend the present city limits so as to include as part of the City of Tomball, Texas, the following described territory, to wit:

[DESCRIBE THE TERRITORY COVERED BY THE PETITION IN METES AND BOUNDS.
A SURVEY AND/OR DESCRIPTION CAN BE ATTACHED AS A SEPARATE DOCUMENT
AND REFERENCED AS AN EXHIBIT – DELETE THIS AFTER EDITS]

We certify that the above described tract of land is contiguous and adjacent to the City of Tomball, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

[USE AS MANY OR AS FEW SIGNATURE LINES AS NECESSARY FOR EACH
PROPERTY OWNER – DELETE THIS AFTER EDITS]

Signed: _____

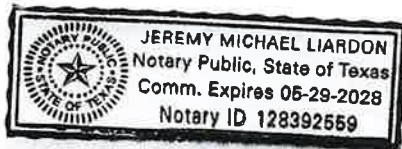
Signed: _____

Signed: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared William S. Speer, Shonna D. Speer, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 31 day of May, 2025.



Notary Public in and for Harris County, Texas

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

- I. **Introduction.** This Municipal Service Plan (the “Plan”) is made by the City of Tomball, Texas (the “City”), pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation by the City of the tract of land (the “Tract”) described in metes and bounds in “Exhibit A”, which is attached to the Petition, this Plan, and to the annexation ordinance which this Plan is a part.
- II. **Effective Term.** This Plan shall be in effect for a period of ten (10) years commencing on the effective date of the annexation of the Tract, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.
- III. **Intent.** It is the intent of the City that services under this Plan shall equal the number of services and level of services in existence within the Tract prior to annexation and which are available in other parts of the City with land uses and population densities similar to those reasonably contemplated or projected within the Tract. However, it is not the intent of this Plan to require that a uniform level of service be provided to all areas of the City, including the Tract, where differing characteristics of topography, land utilization, and population density are considered as a sufficient basis for providing differing service levels.

The City reserves the right, granted to it by Section 43.056(k), Texas Local Government Code, to amend this Plan, if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Texas Local Government Code, or other Texas laws to make this Plan unworkable, obsolete, or unlawful.

IV. **Service Programs.**

A. **In General.**

1. This Plan includes the following service programs: a General Services Program and a Capital Improvement Program.
2. As used in this Plan, “providing services” shall include having services provided by any method or means by which the City may extend municipal services to any other area of the City. The City shall provide the area, or cause the area to be provided, with services in accordance with the Plan. This may include, but is not limited to, causing or allowing private utilities, governmental entities, and other public service organizations to provide such services, in whole or in part.

As used in this Plan, the phrase “standard policies and procedures” shall mean those policies and procedures of the City applicable to a particular service, which are in effect either at the time that the service is requested or at the time the service is made available or provided. Such policies and

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

procedures may require a specific type of request be made, such as an application or a petition, may require that fees or charges be paid, and may include eligibility requirements or other similar provisions.

3. **Extension Policy.** The following information is a summary of the City's policies respecting water, wastewater and gas service extensions. This summary is made in compliance with Texas Local Government Code, which requires that each annexation plan include a summary of the service extension policy. Nothing herein shall repeal any provisions of the Code of Ordinances of the City, as amended, or any of the uncodified ordinances that contain the City's policies and procedures.

The City extends water, wastewater, and gas services to existing unserved development as follows:

Construction of such service lines is based on a priority schedule that considers potential health hazards, population density, the number of existing buildings, the reasonable cost of providing service, and the desires of the residents of the unserved areas.

Extensions built by the City at its cost are included in its Capital Improvements Plan, which is updated annually. Placement of an extension or enlargement of any water and/or wastewater lines into the Capital Improvement Plan is based primarily on the following requirements: (1) to provide service to unserved areas, (2) and to provide adequate capacity for projected service requirements.

Persons or entities desiring to develop land within unserved areas must construct water, wastewater, and gas service lines and extensions to connect to City trunk lines to serve the new development.

- B. **General Services Program.** The following services will be provided within the Tract within the period required by State law: police protection, fire protection, solid waste collection, operation and maintenance of water, wastewater, and gas facilities, operation and maintenance of roads and streets, including lighting, operation and maintenance of parks, playgrounds, and swimming pools, and maintenance of any other publicly owned facility, building or service. The General Services Program plan is as follows:

1. **Police Protection.** The Police Department of the City will provide protection and law enforcement within the Tract. These activities will include routine patrols and responses, handling of complaints and incident reports, and, as appropriate, support by special units. In order to provide the above services, the Police Department will operate from a city facility.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

2. Fire Protection. The Fire Department of the City will provide fire protection to the Tract. Fire protection will be provided from a city operated Fire Station. Fire protection will remain at the current or higher level of service.
3. Solid Waste Collection. All eligible residences and businesses will be provided solid waste collection service, either by City personnel or by contract.
4. Maintenance of Water, Wastewater, and Gas Facilities. There are no City water, wastewater, or gas facilities currently located within the Tract. If any such facilities are constructed or acquired by the City within the Tract, the City's Department of Public Works will operate and maintain such facilities at levels of service and maintenance comparable to those available for other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.
5. Operation and Maintenance of Roads and Streets (including lighting). The City's Department of Public Works will provide for the maintenance of roads and streets over which the City will have jurisdiction. Such Department will also provide services relating to traffic control devices and will provide street lighting for such roads and streets through an electric utility company or by other means. The operation and maintenance of roads and streets, including street lighting and traffic control devices, shall be provided at levels of service and maintenance comparable to those available for other roads and streets in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.
6. Operation and Maintenance of Parks, Playground and Swimming Pools. There are no public parks, playgrounds, or swimming pools currently located within the Tract. If, as a result of acquisition of park land, any such facilities are constructed by the City within the Tract, the City's Department of Parks and Recreation will operate and maintain such facilities at levels of service and maintenance comparable to those available for other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.
7. Operation and Maintenance of Any Other Publicly Owned Facility, Building, or Service. Those drainage facilities associated with City-maintained public streets will be maintained by the City's

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

Department of Public Works, as needed. Any other facility, building, or service existing or which may be constructed or located by the City within the Tract, will be operated and maintained by an appropriate City department at levels of service and maintenance comparable to those available to other such facilities in other parts of the City with similar topography, load use, and population density as those reasonably contemplated or projected within the Tract.

- C. Capital Improvement Program. It is the intent of the City to provide full City services within the Tract not less than four and one-half (4-1/2) years after the effective date of annexation of the Tract, in accordance with the Texas Local Government Code, § 43.056(e).

The City will initiate the acquisition and construction of the capital improvements necessary to provide municipal services adequate to serve the Tract. Any necessary construction or acquisition is indicated below, and any such construction or acquisition shall begin within two (2) years of the effective date of this Plan and shall be substantially completed within 4-1/2 years, except as otherwise indicated:

1. Police Protection. No capital improvements are necessary at this time to provide police protection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded police facilities.
2. Fire Protection. No capital improvements are necessary at this time to provide fire protection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded fire facilities.
3. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services within the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded solid waste facilities and/or services.
4. Wastewater Facilities. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public wastewater facilities. Wastewater services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of wastewater services is attached to and made a part of this Plan.
5. Water Distribution. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public water

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

facilities. Water services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of water services is attached to and made a part of this Plan.

6. Gas Distribution. The Tract will be included with other City territory in connection with planning for new, revised, or expanded public gas facilities. Gas services will be provided according to the standard policies and procedures of the City's Department of Public Works. A summary of the City's policies with regard to the extension of gas services is attached to and made a part of this Plan.
7. Roads and Streets (including lighting). The City will acquire jurisdiction in and over all public roads and streets within the Tract upon annexation, pursuant to Section 311.001 of the Texas Transportation Code and other similar provisions, except for public roads and streets subject to the jurisdiction of other governmental entities. Additional roads, streets, or related facilities are not necessary at this time to service the Tract. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices or street lights, within the Tract will be governed by standard policies and procedures of the City. The Tract will be included with other City territory in connection with planning for new, improved, revised, widened, or enlarged roads, streets, or related facilities.
8. Parks, Playgrounds, and Swimming Pools. No capital improvements are necessary at this time to provide park and recreational services to the Tract. The Tract will be included with other City territory in connection with planning for new, revised, or expanded parks, playgrounds, and/or swimming pools.
9. Other Publicly Owned Facilities, Buildings or Services: Additional Services. In general, other City functions and services can be provided to the Tract by using existing capital improvements. At this time, additional capital improvements are not necessary to provide City services. However, the Tract will be included with other City territory in connection with planning for new, revised, or expanded facilities, functions, and services.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

- V. **Amendment.** This Plan may not be amended or repealed, except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes at any time. This Plan is subject to, and shall be interpreted in accordance with, the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and any orders, rules, or regulations of any other governmental body having jurisdiction.
- VI. **Force Majeure.** In the event the City is rendered unable, wholly or in part, by force majeure to carry out its obligations under this Plan, notice shall be given with full particulars of such force majeure, in writing, as soon as reasonably possible after the occurrence of the cause relied on, and the City's obligations, so far as effected by such force majeure, shall be suspended during the continuance of such inability so caused but for no longer period, and such cause shall, so far as possible, be remedied with all reasonable dispatch; provided, however, City shall not be required to settle a strike or dispute with workmen when such settlement is against the will of the City. The term "force majeure" shall mean acts of God, strikes, acts of the public enemy, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of rulers and people, explosions, breakage or accident to machinery or lines of pipe, droughts, hurricanes and tornadoes, and any other inability of either party, whether similar to those enumerated or otherwise, not within the control of the City, which, by the exercise of reasonable diligence, the City shall not have been able to avoid.
- VII. **Entire Plan.** This document contains the entire and integrated Plan relating to the Tract and supersedes all other negotiations, representations, plans, and agreements, whether written or oral.

If one or more provisions of this Plan is held to be invalid, unenforceable, or illegal in any respect, the remainder of the Plan shall remain valid and in full force and effect.

SIGNATURES


For the City:

Name [Signature]

Name [Printed]

Position

For the Property Owner:



Name [Signature]

Name [Printed]

Company [if applicable]

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

Date

Date

SERVICE AGREEMENT NOT VALID UNTIL SIGNED BY CITY REPRESENTATIVE AND
PROPERTY HAS BEEN ANNEXED

Additional Property Owner(s) [if applicable]

Shonna Speer (May 31, 2025 10:48 EDT)

Name [Signature]

Name [Signature]

Shonna D. Speer

Name [Printed]

Name [Printed]

FLS Development

Company [if applicable]

Company [if applicable]

5/31/25
Date

Date

City of Tomball
Annexation Packet: Request of Owner
City Department Review Page

To be filled by Requestor(s)

Property Description: _____

Requestor / Owner: FLS Development _____

Requestor / Owner: _____

Requestor / Owner: _____

Date complete packet filed: _____

To be filled by City Departments

Directions: Review the packet for completeness and concurrence with request.

For: Police Department

Name [Printed]

Name [Signature]

Position

Date

For: Community Development

Name [Printed]

Name [Signature]

Position

Date

For: Fire Department

Name [Printed]

Name [Signature]

Position

Date

For: Public Works / Engineering

Name [Printed]

Name [Signature]

Position

Date

Return to City Secretary







Graylou Grove - Annexation Application-Final_20254_encrypted_

Final Audit Report

2025-05-31

Created:	2025-05-31
By:	harrisburg homes (accounting@harrisburgtx.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMO23lkqCVv3vlajpLnTyXtoyMc4UUerR

"Graylou Grove - Annexation Application-Final_ 20254_encrypted_" History

-  Document created by harrisburg homes (accounting@harrisburgtx.com)
2025-05-31 - 2:33:18 PM GMT
-  Document emailed to shonna@harrisburgtx.com for signature
2025-05-31 - 2:33:58 PM GMT
-  Email viewed by shonna@harrisburgtx.com
2025-05-31 - 2:47:39 PM GMT
-  Signer shonna@harrisburgtx.com entered name at signing as Shonna Speer
2025-05-31 - 2:48:02 PM GMT
-  Document e-signed by Shonna Speer (shonna@harrisburgtx.com)
Signature Date: 2025-05-31 - 2:48:04 PM GMT - Time Source: server
-  Agreement completed.
2025-05-31 - 2:48:04 PM GMT



Adobe Acrobat Sign

Capital Title

GF# 21-612060-HC

This document has been
electronically recorded

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

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

THIS SPECIAL WARRANTY DEED (this "Deed") is executed by **TCC Development, Inc.**, a Texas corporation ("Grantor") and **FLS Development, LLC**, a Texas limited liability company ("Grantee").

For and in consideration of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee, Grantor does hereby GRANT, SELL, AND CONVEY unto Grantee, the real property described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"), together with all improvements thereon.

This conveyance is made by Grantor and accepted by Grantee expressly subject to the Permitted Exceptions (defined below).

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, including, without limitation, all right, title and interest of Grantor in and to that certain easement estate created by Warranty Deed, dated June 21, 2012, filed June 22, 2012, recorded in Clerk's File No. 20120276873, Real Property Records, Harris County, Texas, and being more particularly described in Exhibit "B" attached hereto and incorporated herein by reference, unto Grantee, and Grantee's successors, and assigns, forever.

And Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Property unto Grantee, and Grantee's successors, and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, subject however, to (i) all validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; (ii) all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests and water interests outstanding in persons other than Grantor that affect the Property; (iii) all other presently recorded and validly existing instruments that affect the Property; (iv) rights of the public and any governmental authorities in and to any portion of the Property situated within the boundaries of any public or private roadway or easement; (v) validly existing rights of adjoining owners in any walls and fences situated on a common boundary; (vi) any discrepancies, conflicts, or shortages in area or boundary lines; (vii) any encroachments or overlapping of improvements; (viii) any and all matters which would be shown on a current, correct survey of the Property; and (ix) taxes for 2023, which Grantee assumes and agrees to pay, and subsequent taxes and assessments for that and prior and future years due to change in land usage, ownership, or both, the payment of which Grantee assumes (the foregoing items (i) through (ix) being collectively, the "Permitted Exceptions").

The consideration for this conveyance, receipt of which Grantor acknowledges, is (i) \$10.00 and other good and valuable consideration paid to Grantor for which no lien either express or implied is retained, and (ii) \$2,235,640.89 advanced and paid at the instance and request of Grantee by Susser Bank, a Texas state bank ("Lender") for which Grantee has executed a promissory note (the "Note") payable to Lender, payable and bearing interest as set forth therein, as well as a deed of trust to Sam L. Susser, Trustee, to secure the payment thereof, all of even date herewith.

The vendor's lien and superior title are specifically retained by Grantor against the Property described until the Note and all interest thereon are fully paid, and such vendor's lien and superior title are hereby assigned and transferred to Lender, without recourse or warranty.

AS A MATERIAL INDUCEMENT TO GRANTOR TO SELL AND CONVEY THE PROPERTY TO GRANTEE SUBJECT TO THE TERMS OF THE CONTRACT ENTERED INTO BY AND BETWEEN GRANTOR AND GRANTEE FOR THE SALE OF THE PROPERTY (THE "CONTRACT") AND AT THE PURCHASE PRICE STATED IN THE CONTRACT, GRANTOR AND GRANTEE COVENANT AND AGREE AS SET FORTH BELOW. GRANTEE ACKNOWLEDGES AND AGREES THAT BUT FOR GRANTEE'S AGREEMENT TO THESE PROVISIONS, GRANTOR WOULD NOT SELL THE PROPERTY TO GRANTEE.

EXCEPT FOR THE SPECIAL TITLE WARRANTY AS SET FORTH IN THIS DEED (THE "TITLE WARRANTY"), GRANTOR IS NOT MAKING, AND HAS NOT MADE, AND SPECIFICALLY DISCLAIMS ANY WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR REPRESENTATIONS AS TO (I) THE VALUE, NATURE, QUALITY OR PHYSICAL OR OTHER CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, AND/OR THE ENVIRONMENTAL CONDITION OF THE PROPERTY; (II) THE INCOME TO BE DERIVED FROM THE PROPERTY; (III) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATIONS WITH ANY APPLICABLE LAWS OR OTHER LAWS, RULES, ORDINANCES, OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY; (IV) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, SUITABILITY, PROFITABILITY, DEVELOPABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY; (V) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY; (VI) THE MANNER, QUALITY OR STATE OF REPAIR OF THE PROPERTY; OR (VII) THE CORRECTNESS OR ACCURACY OF ANY INFORMATION PROVIDED BY GRANTOR OR WHETHER GRANTEE SHOULD RELY UPON OR USE ANY INFORMATION PROVIDED BY GRANTOR. GRANTEE AGREES THAT GRANTOR SELLS AND CONVEYS TO GRANTEE AND GRANTEE ACCEPTS THE PROPERTY "AS IS, WHERE IS, WITH ALL FAULTS," AND WITHOUT ANY WRITTEN OR ORAL REPRESENTATIONS OR WARRANTIES, EXPRESS, IMPLIED, OR ARISING BY OPERATION OF LAW, EXCEPT FOR THE TITLE WARRANTY. GRANTEE ACKNOWLEDGES THAT GRANTEE HAD THE OPPORTUNITY TO CONDUCT A FEASIBILITY STUDY OF THE PROPERTY AND TO TERMINATE THE CONTRACT BASED ON THE FEASIBILITY STUDY AND GRANTEE'S INVESTIGATIONS AND INSPECTIONS OF THE PROPERTY. GRANTEE REPRESENTS TO GRANTOR THAT GRANTEE HAS CONDUCTED SUCH INVESTIGATIONS OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AS GRANTEE DEEMED NECESSARY TO SATISFY ITSELF AS TO THE CONDITION OF THE PROPERTY AND THE EXISTENCE OR NONEXISTENCE OR CURATIVE ACTION TO BE TAKEN WITH RESPECT TO ANY HAZARDOUS SUBSTANCES ON OR UNDER THE PROPERTY, AND IS RELYING SOLELY UPON THE SAME AND NOT UPON ANY INFORMATION OR STATEMENTS PROVIDED BY OR ON BEHALF OF GRANTOR OR ITS AGENTS OR EMPLOYEES WITH RESPECT THERETO, OTHER THAN THE TITLE WARRANTY. GRANTEE ASSUMES THE RISK THAT ADVERSE MATTERS, INCLUDING BUT NOT LIMITED TO, CONSTRUCTION DEFECTS AND ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS, MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INSPECTION, EXAMINATION, AND EVALUATION OF THE PROPERTY, AND GRANTEE HEREBY EXPRESSLY WAIVES, RELINQUISHES AND RELEASES ALL CLAIMS, DEMANDS, CAUSES OF ACTION (INCLUDING CAUSES OF ACTION IN TORT), LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES (INCLUDING ATTORNEYS' FEES AND COURT COSTS) OF ANY AND EVERY KIND OR CHARACTER, KNOWN OR

UNKNOWN, WHICH GRANTEE MIGHT HAVE ASSERTED OR ALLEGED AGAINST GRANTOR AT ANY TIME BY REASON OF OR ARISING OUT OF THE PHYSICAL CONDITION OF THE PROPERTY, THE ENVIRONMENTAL CONDITION OF THE PROPERTY, THE ENTITLEMENTS FOR THE PROPERTY OR VIOLATIONS OF ANY APPLICABLE LAWS (INCLUDING ANY ENVIRONMENTAL LAWS). GRANTEE REPRESENTS AND WARRANTS TO GRANTOR THAT GRANTEE HAS KNOWLEDGE AND EXPERTISE IN FINANCIAL AND BUSINESS MATTERS THAT ENABLE IT TO EVALUATE THE MERITS AND RISKS OF THE TRANSACTION CONTEMPLATED BY THIS SALE AND CONVEYANCE OF THE PROPERTY AND THAT GRANTEE IS NOT IN A SIGNIFICANTLY DISPARATE BARGAINING POSITION.

Grantees Mailing Address is: FLS Development, LLC
 17119 Lakeway Park Drive
 Tomball, Texas 77375

[signatures follow]

RP-2023-170674

EXECUTED on the date of the acknowledgment hereinbelow, to be effective however as of the
9th day of May, 2023.

GRANTOR:

TCC DEVELOPMENT, INC.,
a Texas corporation

By: Carolyn Johnson
Name: Carolyn Johnson
Title: President

GRANTEE:

FLS DEVELOPMENT, LLC
a Texas liability company


By: William Shawn Speer
Name: William Shawn Speer
Title: Manager
By: Shonna Speer
Name: Shonna Speer
Title: Manager

RP-2023-170674

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 9th day of May, 2023, by Carolyn Johnson, President of TCC Development, Inc., a Texas corporation, on behalf of said corporation.





Notary Public in and for
the State of Texas

My commission expires:

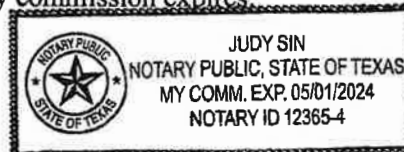
THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 10 day of May, 2023, by W. Shawn Speer, Member of FLS Development, LLC, a Texas limited liability company on behalf of said limited liability company.



Notary Public in and for
the State of Texas

My commission expires:



THE STATE OF TEXAS)
COUNTY OF HARRIS)

This instrument was acknowledged before me on the 10 day of May, 2023 by Shonna Speer, Manager of FLS Development, LLC, a Texas limited liability company on behalf of said limited liability company.



Notary Public in and for
the State of Texas

My commission expires:

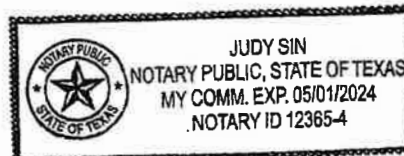


Exhibit A

Property Description

Tract I

0.8041 of one acre or 35,026 square feet of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas, being a portion of that certain Unrestricted Reserve "A" of Tomball Greens, a subdivision as shown on map or plat recorded under Film Code Number 440128 of the Map Records of Harris County, Texas, said 0.8041 of one acre or 35,026 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found in the Southeasterly line of that certain called 0.1262 of one acre of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number V308253, for the Northeasterly corner of that certain Lot 9, Block 2 of Country Club Greens Section Two-Replat, a subdivision as shown on map or plat recorded under Film Code Number 548068 of the Map Records of Harris County, Texas;

Thence, N 42°56'22" E, along the Southeasterly line of said 0.1262 acre tract and the Southeasterly line of that certain called 1.879 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2020-279347, a distance of 163.90 feet to a 1/2 inch iron rod found for the Northwesterly corner of that certain Lot 6, Block 2 of Country Club Greens Sec. Two, a subdivision as shown on map or plat recorded under Film Code Number 491143 of the Map Records of Harris County, Texas;

Thence, S 15°43'52" E, along the Westerly line of said Lot 6, a distance of 270.27 feet to a 1/2 inch iron rod found for the Northwesterly right-of-way line of North Country Club Green Drive (60 foot Permanent access easement), for the Southwesterly corner of said Lot 6;

Thence, S 56°26'08" W, along the Northwesterly right-of-way line of said North Country Club Green Drive, a distance of 147.07 feet to a 1/2 inch iron rod found for the Southeasterly corner of said Lot 9;

Thence, N 15°43'52" W, along the Easterly line of said Lot 9, a distance of 230.09 feet to the POINT OF BEGINNING and containing 0.8041 of one acre or 35,026 square feet of land.

Tract II

31.994 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being a portion of that certain residue of called 33.153 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number U968294, a portion of those certain Lots 489, 490, 495 and 496 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Map Records of Harris County, Texas and those certain Lots 491, 492, 493 and 494 of said Tomball Townsite, said 31.994 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap found in the Southerly line of that certain Restricted Reserve "J" of The Estates at Willow Creek, a subdivision as shown on map or plat recorded under Film Code Number 540246 of the Map Records of Harris County, Texas, for the most Northerly Northwest corner of said 33.153 acre tract and the Northeasterly corner of that certain called 4.998 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20110051826, from which a 1/2 inch iron rod with cap bears S 17°51'57" E, 3.42 feet;

Thence, N 87°49'35" E, along the Southerly line of said Restricted Reserve "J" of The Estates at Willow Creek, the Southerly line of that certain called 11.98 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number U517222 and the Southerly line of that certain Restricted Reserve "A" of Willow Creek Pet Ranch of Tomball, a subdivision as shown on map or plat recorded under Film Code Number 683259 of the Map Records of Harris County, Texas, a distance of 1,613.81 feet to the Northwestern corner of that certain called 0.5045 of one acre of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number V343704;

Thence, S 03°07'21" E, along the Westerly line of said 0.5045 acre tract, a distance of 232.39 feet to the Northwestern line of that certain Block 2 of Country Club Greens Section Two-Replat, a subdivision as shown on map or plat recorded under Film Code Number 548068 of the Map Records of Harris County, Texas;

Thence, S 42°56'22" W, along the Northwestern line of said Block 2 of Country Club Greens Section Two-Replat, the Northwestern line of that certain Block 1 of said Country Club Greens Section Two-Replat, the Northwestern line of that certain Block 2 of Country Club Greens Partial Replat-Phase Two, a subdivision as shown on map or plat recorded under Film Code Number 540231 of the Map Records of Harris County, Texas and the Northwestern line of that certain Block 2 of Country Club Greens Partial Replat, a subdivision as shown on map or plat recorded under Film Code Number 519225 of the Map Records of Harris County, Texas, a distance of 1,846.30 feet to a 5/8 inch iron rod found for the Southeasterly corner of that certain called 5.3977 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P792577;

Thence, N 13°37'50" W, along the Easterly line of said 5.3977 acre tract, the Easterly line of that certain called 5.5000 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270 and the Easterly line of that certain called 5.678 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20070687993, a distance of 823.99 feet to a 5/8 inch iron rod with cap found for the Northeasterly corner of said 5.678 acre tract and the Southeasterly corner of that certain Reserve "A" of Brandt Holdings, subdivision as shown on map or plat recorded under Film Code Number 679589 of the Map Records of Harris County, Texas;

Thence, N 12°41'13" W, along the Easterly line of said Reserve "A" of Brandt Holdings, a distance of 60.95 feet to a 3/4 inch iron rod with cap found for the Northeasterly corner of said Reserve "A" of Brandt Holdings;

Thence, N 13°34'57" W, along the Easterly line of that certain called 8.1479 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number Y978757 and the Easterly line of said 4.998 acre tract, a distance of 681.28 feet to the POINT OF BEGINNING and containing 31.994 acres of land.

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Exhibit B

Easement Estate

A nonexclusive Easement created by Warranty Deed, dated June 21, 2012, filed June 22, 2012, recorded in Clerk's File No. 20120276873, Real Property Records, Harris County, Texas, and being more particularly described as follows:

1.1426 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being a portion of that certain called 1.1767 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20120276873, also being that certain Reserve "A" of Brandt Holdings, a subdivision as shown on map or plat recorded under Film Code Number 679589 of the Map Records of Harris County, Texas, said 1.1426 acres of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found in the Southerly line of that certain Restricted Reserve "J" of The Estates at Willow Creek, a subdivision as shown on map or plat recorded under Film Code Number 540246 of the Map Records of Harris County, Texas, for the most Northerly Northwest corner of that certain residue of called 33.153 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number U968294, from which a found 1/2 inch iron rod with cap bears S 17°51'57" E, 3.42 feet;

Thence, S 13°34'57" E, along a Westerly line of said 33.153 acre tract, a distance of 681.28 feet to a 3/4 inch iron rod with cap found for the Northeasterly corner of said Reserve "A" of Brandt Holdings and the POINT OF BEGINNING of the herein described tract of land;

Thence, S 12°41'13" E, along the Easterly line of said Reserve "A" of Brandt Holdings, a distance of 60.95 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of said Reserve "A" of Brandt Holdings and the Northeasterly corner of that certain called 5.678 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20070687993;

Thence, S 87°26'22" W, along the Northerly line of said 5.678 acre tract, a distance of 825.28 feet to a 5/8 inch iron rod with cap found in the Easterly right-of-way line of Huffsmith Kohrville Road (variable width right-of-way), for the Southwesterly corner of said Reserve "A" of Brandt Holdings;

Thence, N 20°18'43" W, along the Easterly right-of-way line of said Huffsmith Kohrville Road, a distance of 63.00 feet to the Southwesterly corner of that certain Lot 1, Block 1 of said Brandt Holdings and the Northwesterly corner of said Reserve "A" of Brandt Holdings;

Thence, N 87°26'22" E, along the Northerly line of said Reserve "A" of Brandt Holdings, a distance of 833.77 feet to the POINT OF BEGINNING and containing 1.1426 acres of land.

RP-2023-170674
Pages 9
05/11/2023 08:58 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$46.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

Capital Title

GF# 21-622964-HC

This document has been
electronically recorded.

Warranty Deed with Vendor's Lien

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: May 10, 2023

Grantor: **Brandt Exploration, LLC, a Texas limited liability company**

Grantor's Mailing Address: 7606 Noah Lane, Spring, Texas 77379

Grantee: **FLS Development, LLC, a Texas limited liability company**

Grantee's Mailing Address: 17116 Lakeway Park Drive, Tomball, Texas 77375

Consideration:

Cash and other good and valuable consideration along with a note of even date executed by Grantee and payable to the order of Susser Bank, a Texas state bank in the principal amount of \$3,445,000.00 (Three Million Four Hundred Forty-Five Thousand and 00/100 Dollars). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of Susser Bank, a Texas state bank and by a first-lien deed of trust of even date from Grantee to Sam L. Susser, trustee.

Property (including any improvements):

17.307 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being that certain residue of called 1.1767 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20120276873, that certain called 5.678 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20070687993, that certain residue of called 8.1479 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number Y978757, that certain residue of called 4.998 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number 20110051826, that certain Reserve "A" of Brandt Holdings, a subdivision as shown on map or plat recorded under Film Code Number 679589 of the Map Records of Harris County, Texas, that certain Lot 1, Block 1 of said Brandt Holdings and a portion of those certain Lots 496, 497 and 498 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Map Records of Harris County, Texas, said 17.307 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap found in the Southerly line of that certain Restricted Reserve "J" of The Estates at Willow Creek, a subdivision as shown on map or plat recorded under Film Code Number 540246 of the Map Records of Harris County, Texas, for the most

RP-2023-171232

Northerly Northwest corner of that certain residue of called 33.153 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number U968294, from which a found 1/2 inch iron rod with cap bears S 17°51'57"E, 3.42 feet;

Thence, S 13°34'57" E, along a Westerly line of said 33.153 acre tract, a distance of 681.28 feet to a 3/4 inch iron rod with cap found for the Northeasterly corner of said Reserve "A" of Brandt Holdings;

Thence, S 12°41'13" E, along the Easterly line of said Reserve "A" of Brandt Holdings, a distance of 60.95 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of said Reserve "A" of Brandt Holdings and the Northeasterly corner of said 5.678 acre tract;

Thence, S 13°37'50" E, along a Westerly line of said 33.153 acre tract, a distance of 265.13 feet to a 5/8 inch iron rod found for the Northeasterly corner of that certain called 5.5000 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270;

Thence, S 56°48'54" W, along the Northerly line of said 5.5000 acre tract and the Northerly line of that certain called 1.000 acre of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, a distance of 423.87 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of that certain called 3.070 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2022-399050;

Thence, N 11°23'19" W, along the Easterly line of said 3.070 acre tract, a distance of 290.49 feet to a 5/8 inch iron rod with cap found for the Northeasterly corner of said 3.070 acre tract;

Thence, S 76°00'34" W, along the Northerly line of said 3.070 acre tract, a distance of 412.84 feet to a 5/8 inch iron rod with cap found in the Northeasterly right-of-way line of Huffsmith Kohrville Road (variable width right-of-way), for the Northwesterly corner of said 3.070 acre tract;

Thence, along the Northeasterly right-of-way line of said Huffsmith Kohrville Road, the following courses and distances:

N 20°20'37" W, a distance of 284.48 feet to a 5/8 inch iron rod found for the Northwesterly corner of said 5.678 acre tract and the Southwesterly corner of that certain called 0.3634 of one acre of land dedicated for the widening of Huffsmith Kohrville Road by said map or plat of Brandt Holdings;

N 87°26'22" E, a distance of 24.68 feet to a 5/8 inch iron rod with cap found for the Southwesterly corner of said Reserve "A" of Brandt Holdings and the Southeasterly corner of said dedication;

N 20°18'43" W, a distance of 437.48 feet to a point of curvature to the right;

In a Northwesterly direction, with said curve to the right, having a central angle of 01°25'11", a radius of 1950.00 feet, an arc length of 48.32 feet, a chord bearing of N19°36'08" W and a chord distance of 48.32 feet to a 5/8 inch iron rod with cap found for the Southwesterly corner of that certain called 2.3291 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2016-558665;

Thence, N 87°37'27" E, along the Southerly line of said 2.3291 acre tract, a distance of 441.49 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of said 2.3291 acre tract;

Thence, N 02°23'19" W, along the Easterly line of said 2.3291 acre tract, a distance of 269.92 feet to a 5/8 inch iron rod with cap found in the Southerly line of said Restricted Reserve "J" of The Estates at Willow Creek, for the Northeasterly corner of said 2.3291 acre tract;

Thence, N 87°49'35" E, along the Southerly line of said Restricted Reserve "J" of The Estates at Willow Creek, a distance of 389.56 feet to the POINT OF BEGINNING and containing 17.307 acres of land, more or less.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

This conveyance, however, is made and accepted subject to any and all restrictions, encumbrances, easements, covenants, and conditions, if any, relating to the hereinabove described property as the same are filed for record in County Clerk's Office of Harris County, Texas.

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.

The Vendor's Lien against and Superior Title to the Property are retained until the Note described is fully paid according to its terms, at which time this Deed will become absolute. The Vendor's Lien and Superior Title herein retained are hereby transferred, assigned, sold, and conveyed to the payee of the Note, and the successors and assigns of the payee.

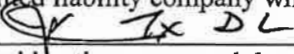
When the context requires, singular nouns and pronouns include the plural.

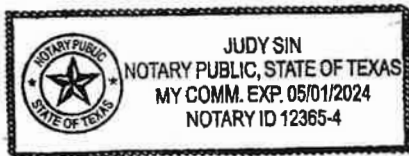
EXECUTED this 10th day of May, 2023.

Brandt Exploration, LLC,
a Texas limited liability company

By: 
Robert E. Brandt, Managing Member

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, a Notary Public, the foregoing instrument was acknowledged on 10th day of May, 2023 by Robert E. Brandt, Managing Member for Brandt Exploration, LLC, a Texas limited liability company who personally appeared before me, and who is known to me through  to be the person(s) who executed it for the purposes and consideration expressed therein, and in the capacity stated.




NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:

PREPARED IN THE LAW OFFICE OF
Shaddock & Associates, P. C.
2400 N. Dallas Parkway, Ste. 560
Plano, Texas 75093

RP-2023-171232

RP-2023-171232
Pages 5
05/11/2023 11:14 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$30.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

DESCRIPTION
OVERALL ACREAGE

38.814 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being that certain called 31.994 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2023-170674, a portion of that certain called 17.307 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2023-171232, that certain Reserve "A" of Brandt Holdings, a subdivision as shown on map or plat recorded under Film Code Number 679589 of the Map Records of Harris County, Texas, a portion of those certain Lots 489, 490, 495, 496, 497 and 498 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Map Records of Harris County, Texas and those certain Lots 491, 492, 493 and 494 of said Tomball Townsite, said 38.814 acres of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with cap found in the Southerly line of that certain Restricted Reserve "J" of The Estates at Willow Creek, a subdivision as shown on map or plat recorded under Film Code Number 540246 of the Map Records of Harris County, Texas, for the Northeasterly corner of that certain called 2.3291 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2016-558665 and the most Northerly Northwest corner of said 17.307 acre tract;

Thence, N 87°49'35" E, along the Southerly line of said Restricted Reserve "J" of the Estates at Willow Creek, a distance of 389.56 feet to a 5/8 inch iron rod found for the Northeasterly corner of said 17.307 acre tract, the Northwesterly corner of said 31.994 acre tract and the POINT OF BEGINNING of the herein described tract of land, from which a found 1/2 inch iron rod with cap bears S 17°51'57" E, 3.42 feet;

Thence, N 87°49'35" E, continuing along the Southerly line of said Restricted Reserve "J" of The Estates at Willow Creek, the Southerly line of that certain called 11.98 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number U517222 and the Southerly line of that certain Restricted Reserve "A" of Willow Creek Pet Ranch of Tomball, a subdivision as shown on map or plat recorded under Film Code Number 683259 of the Map Records of Harris County, Texas, a distance of 1,613.81 feet to the Northeasterly corner of said 31.994 acre tract;

Thence, S 03°07'21" E, along the Westerly line of that certain called 0.5045 of one acre of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number V343704, a distance of 232.39 feet to a 1/2 inch iron rod found in the Northwesterly line of that certain Block 2 of Country Club Greens Section Two-Replat, a subdivision as shown on map or plat recorded under Film Code Number 548068 of the Map Records of Harris County, Texas, for the Southwesterly corner of said 0.5045 acre tract;

Thence, S 42°56'22" W, along the Northwesterly line of said Block 2 of Country Club Greens Section Two-Replat, the Northwesterly line of that certain Block 1 of said Country Club Greens Section Two-Replat, the Northwesterly line of that certain Block 2 of Country Club Greens Partial Replat-Phase Two, a subdivision as shown on map or plat recorded under Film Code Number 540231 of the Map Records of Harris County, Texas and the Northwesterly line of that certain Block 2 of Country Club Greens Partial Replat, a subdivision as shown on map or plat recorded under Film Code Number 519225 of the Map Records of Harris County, Texas, a distance of 1,846.30 feet to a 5/8 inch iron rod found for the Southeasterly corner of that certain called 5.3977 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P792577 and the most Southerly corner of said 31.994 acre tract;

Thence, N 13°37'50" W, along the Easterly line of said 5.3977 acre tract and the Easterly line of that certain called 5.5000 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270, a distance of 558.86 feet to a 5/8 inch iron rod found for the Northeasterly corner of said 5.5000 acre tract and the Southeasterly corner of said 17.307 acre tract;

Thence, S 56°48'54" W, along the Northerly line of said 5.5000 acre tract and the Northerly line of that certain called 1.000 acre of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, a distance of 423.87 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of that certain Lot 1, Block 1 of Hufsmith Kohrville Food Court, a subdivision as shown on map or plat recorded under Film Code Number 701507 of the Map Records of Harris County, Texas;

Thence, N 11°23'19" W, along the Easterly line of said Lot 1, Block 1 of Hufsmith Kohrville Food Court, a distance of 290.49 feet to a 5/8 inch iron rod with cap found for the Northeasterly corner of said Lot 1, Block 1 of Hufsmith Kohrville Food Court and an interior corner of said 17.307 acre tract;

Thence, S 76°00'34" W, along the Northerly line of said Lot 1, Block 1 of Hufsmith Kohrville Food Court, a distance of 412.84 feet to a 5/8 inch iron rod with cap found in the Easterly right-of-way line of Hufsmith Kohrville Road (variable width right-of-way);

Thence, along the Easterly right-of-way line of said Hufsmith Kohrville Road, the following courses and distances:

N 20°20'37" W, a distance of 284.48 feet to a 5/8 inch iron rod found for the Southwesterly corner of that certain called 0.3634 of one acre of land dedicated for the widening of Hufsmith Kohrville Road by said map or plat of Brandt Holdings;

N 87°26'22" E, a distance of 24.68 feet to a 5/8 inch iron rod with cap found for the Southwesterly corner of said Reserve "A" of Brandt Holdings and the Southeasterly corner of said dedication;

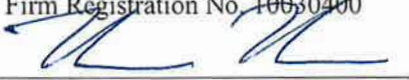
N 20°18'43" W, a distance of 63.00 feet to the Southwesterly corner of that certain Lot 1, Block 1 of said Brandt Holdings;

Thence, N 87°26'22" E, along the Southerly line of said Lot 1, Block 1 of Brandt Holdings, a distance of 833.77 feet to a 3/4 inch iron rod with cap found for the Southeasterly corner of said Lot 1, Block 1 of Brandt Holdings;

Thence, N 13°34'57" W, along the Easterly line of said Lot 1, Block 1 of Brandt Holdings, a distance of 681.28 feet to the POINT OF BEGINNING and containing 38.814 acres of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983, DERIVED FROM CORS SITE RODS.

TRACT BEING SHOWN ON MAP (SEE HSC NO. 2115000OVERALL.dwg)
HOVIS SURVEYING COMPANY, INC.
Texas Firm Registration No. 10630400

By: 
Date: October 30, 2023
Job No: 21-150-00
File No: F21-150.00D
Dwg File: 2115000OVERALL.dwg
Revised: March 14, 2024



City Council Meeting

Agenda Item

Data Sheet

Meeting Date: July 7, 2025

Topic:

Approve Resolution No. 2025-23, a Resolution of the City Council of the City of Tomball, Texas, calling for a public hearing on August 4, 2025, for the creation of Tomball Public Improvement District No. 15 (Graylou Grove) and being located within the City of Tomball.

Background:

Resolution No. 2025-23 pertains to Tomball Public Improvement District No. 15, also known as Graylou Grove, which encompasses approximately 43.149 acres located on the east side of Hufsmith-Kohrville Road, at the intersection of Medical Complex Drive. The resolution will accept the PID petition received from FLS Development, LLC, and calls for a public hearing on August 4, 2025, to consider the creation of a PID.

On September 19, 2022, the City Council approved an amendment to the Administrative Policy for Public Improvement Districts (PIDs). The PID Policy amendment specified that the maximum term and assessment for a debt PID as \$0.48 per \$100 assessed value for 30 years and \$0.96 per \$100 assessed value for 15 years. Additionally, the development provides amenities but none than provides a unique or special benefit to the City of Tomball compared to amenities that have been included in both non-PID developments and PID developments.

The submitted petition requests the creation of a bond PID. The PID petition does not meet the adopted PID policy for the following items:

- Maximum term and assessment for debt PID.
 - The development is requesting a 30-year debt PID at \$0.95 per \$100 assessed value.
- Minimum acreage of 50-acres for debt PID.
 - The PID petition states the acreage for requested PID is 43.149 acres, total acreage for the development is 50.1051 acres.

Staff has provided a copy of the PID policy to the developer and discussed the policy requirements with them. The PID policy does maintain that the Council has the flexibility to consider unique and desirable elements, and grants Council the final authority for PID creation if the proposed development does not meet the minimum requirements.

Origination: Project Management

Recommendation:

Approval of Resolution No. 2025-23 accepts the PID Petition received from FLS Development, LLC for Public Improvement District No. 15, Graylou Grove, and calls for the Public Hearing.

Party(ies) responsible for placing this item on agenda: Meagan Mageo, Project Manager

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	_____	Approved by	_____
	Meagan Mageo		
	Staff Member		City Manager
	Date		Date

RESOLUTION NO. 2025-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS, CALLING FOR A PUBLIC HEARING ON
THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT AND
BEING LOCATED WITHIN THE CITY OF TOMBALL**

* * * * *

WHEREAS, the City Council (the “City Council”) of the City of Tomball, Texas (the “City”) has received a petition (the “Petition”) requesting creation of a public improvement district (the “PID”) under Chapter 372 of the Texas Local Government Code (the “Act”), from the record owners of taxable real property representing more than fifty percent (“50%”) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Harris County) in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment in the proposed PID; and

WHEREAS, the Petition, a copy of which is attached hereto as Exhibit 1, has been examined, verified, and found to meet the requirements of Sections 372.005(a) and 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the boundaries of the proposed PID are described in the Exhibit A to the Petition, said area for the PID being partially within the extraterritorial jurisdiction of the City and partially within the corporate limits of the City; and

WHEREAS, the City Council accepts the Petition and desires to schedule a public hearing to consider the creation of the PID to finance the following public improvements (collectively, the "Authorized Improvements"): (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking, and right-of-way; (ii) design construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting, and nay similar items located therein; (iii) design, construction, and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction, and other allowed costs related to gas, water, wastewater, and drainage (including detention) improvements and facilities; (v) design, construction, and other allowed costs related to projects similar to those listed in subsections (i) – (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) – (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) – (v) above, and costs of establishing, administering and operating the district. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. That a public hearing is hereby scheduled at 6:00 P.M. on August 4, 2025, in the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375 to receive public comment on the creation of the PID in the area described in Exhibit A to the Petition, pursuant to the Act; and

Section 2. That notice of said hearing, in the substantially final form set forth in Exhibit 2 attached hereto, with such changes as may be approved by the City's counsel, shall be published in a newspaper of general circulation in the City and in a newspaper of general circulation in the City before the 15th day prior to the hearing as required by the Act; and

Section 3. That written notice, in the substantially final form set forth in Exhibit 2 attached hereto with such changes as may be approved by the City's counsel, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment within the PID, before the 15th day prior to the date set for the hearing; and

Section 4. That all of the above recitals are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein; and

Section 5. That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision; and

Section 6. That this Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

PASSED, APPROVED, AND RESOLVED this ____ day of _____ 2025.

Lori Klein Quinn, Mayor

ATTEST:

Thomas Harris III, City Secretary



FLS Development

Public Improvement District Creation Request Letter

May 14, 2025

City of Tomball
Special Financing Districts
501 James Street
Tomball, TX 77357

To whom it may Concern:

FLS Development LLC, as applicant, requests the City of Tomball consider its application, attached as Exhibit A, for the creation of the Graylou Grove Public Improvement District. Petition is attached as Exhibit B. The below information and attached documentation are being provided in support of this application.

As outlined in the PD application, attached as Exhibit C, the Graylou Grove Estates development seeks to lift the quality and experience of residential life in Tomball. Residents will have access to larger lot sizes, a varied architectural canvas, and popular amenities, including but not limited to parks and trails, a large fishing dock, and pickle ball court, all of which will generate attainable but elevated home prices. This will support the City's goal of establishing superior developments and create an economic benefit by providing higher per acre tax revenue to the city. A detailed overview of the enhanced architectural standards, landscaping, amenities, and design of lots or buildings is provided in Exhibit C.

Located between two neighborhoods, Country Club Greens and Willow Creek Estates, Graylou Grove, will allow improvements in the public right of way including a dedicated right-of-way which will also provide public access to parks and trails created within the PID boundary. This will support Tomball's future thoroughfare vision by dedicating right-of-way through the property and paving a majority of Medical Complex Drive for future connection to Mahaley.

The FLS partners represent 75+ years of experience in real estate acquisition and development and over 100 years of construction experience in both commercial and residential markets.

While primarily focused on the Houston, and more specifically the North Houston market, our partners have years of experience in both development and construction in national markets including DFW, Atlanta, Phoenix and North Carolina.

With strong and long-standing relationships with financial institutions, primarily through construction financing agreements, FLS and its partners have access to funding from well-established banks.

May 15, 2025
Page 2

Our team is excited to continue building in the City of Tomball and appreciate your assisted efforts serving our fellow locals.

Sincerest Regards,

Kyle Friedman
Development Coordinator

Enclosures:

- Exhibit A: PID Petition
- Exhibit B: City of Tomball PID Application
- Exhibit C: Graylou Grove Planned Development Application
- Exhibit D: Project Expenses
- Exhibit E: Financial Study relating to PID creation
- Exhibit F: Draft Development Agreement

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT
WITHIN THE CITY OF TOMBALL, TEXAS**

This petition ("Petition") is submitted and filed with the City Secretary of the City of Tomball, Texas ("City"), by FLS Development, LLC., a Texas Limited Liability Corporation (the "Petitioner"), the owner of the approximately 43.149 acres described in Exhibit "A" ("Property") located within the proposed boundaries of the District, as hereinafter defined. Acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), the Petitioner requests that the City create a public improvement district (the "District"), encompassing the Property. The Property is located in part within the extraterritorial jurisdiction ("ETJ") of the City, and in part within the corporate limits of the City. The remainder is not within the corporate limits or extraterritorial jurisdiction of any other city, town, or village. In support of this Petition, the Petitioner would present the following:

Section 1. General Nature of the Authorized Improvements. The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking, and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features, or amenities such as trails, playgrounds, walkways, lighting, and any similar items located therein; (iii) design, construction, and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting, and signage; (iv) design, construction, and other allowed costs related to gas, water, wastewater, and drainage (including detention) improvements and facilities; (v) design, construction, and other allowed costs related to projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, and costs of establishing, administering, and

operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 2. Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire, and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs, and eligible costs incurred in the establishment administration and operation of the District, is \$8,000,000.00. The City will pay none of the costs of the proposed improvements from funds other than such assessments. The remaining costs of the proposed improvements will be paid from sources other than the City or assessments of property owners.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Section 5. Proposed Apportionment of Costs between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District and possible tax increment reinvestment zone revenue. The Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

Section 6. Management of the District. The Petitioner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. The Petitioner Requests Establishment of the District. The person(s) signing this Petition request(s) the establishment of the District, is duly authorized, and has the corporate authority to execute and deliver the Petition.

Section 8. Advisory Board. The Petitioner proposes that the District be established and managed without the creation of an advisory board. If an advisory board is created, the Petitioner requests that a representative of the Petitioner be appointed to the advisory board.

Section 9. Landowner(s). This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City, or other officer performing the functions of the municipal secretary, in support of the creation of the District by the City Council of the City as herein provided. The undersigned request that the City Council of the City call a public hearing on the advisability of the Authorized Improvements, give notice thereof as provided by law and grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner may show itself to be entitled.

RESPECTFULLY SUBMITTED, on this the 15th day of May, 2025.

PETITIONER

FLS Development, LLC

By: [Signature]

Name: Shawn Speer

Title: Manager

By: [Signature]

Name: Shona Speer

Title: Manager

STATE OF TEXAS

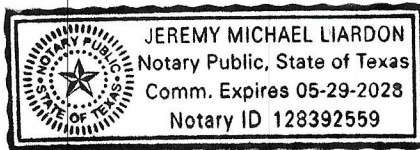
§

COUNTY OF Harris

§

§

This instrument was acknowledged before me on May 15th, 2025, by William Shawn Speer, Manager of FLS Development, LLC, a Texas Limited Liability Company, on behalf of said company.



[Signature]
Notary Public, State of Texas

EXHIBIT A

Metes and Bounds Description

PROPERTY DESCRIPTION

43.149 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being that certain called 31.994 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2023-170674, a portion of that certain called 17.307 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2023-171232, a portion of that certain Reserve "A" and Lot 1 of Brandt Holdings, a subdivision as shown on map or plat recorded under Film Code Number 679589 of the Map Records of Harris County, Texas, a portion of those certain Lots 489, 490, 495, 496, 497 and 498 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Map Records of Harris County, Texas and those certain Lots 491, 492, 493 and 494 of said Tomball Townsite, said 43.149 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap found in the Southerly line of that certain Restricted Reserve "J" of The Estates at Willow Creek, a subdivision as shown on map or plat recorded under Film Code Number 540246 of the Map Records of Harris County, Texas, for the Northeasterly corner of that certain called 2.3291 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2016-558665 and the most Northerly Northwest corner of said 17.307 acre tract;

Thence, N 87°49'35" E, along the Southerly line of said Restricted Reserve "J" of The Estates at Willow Creek, the Southerly line of that certain called 11.98 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number U517222 and the Southerly line of that certain Restricted Reserve "A" of Willow Creek Pet Ranch of Tomball, a subdivision as shown on map or plat recorded under Film Code Number 683259 of the Map Records of Harris County, Texas, a distance of 2,003.38 feet to the Northwesterly corner of that certain called 0.5045 of one acre of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number V343704;

Thence, S 03°07'21" E, along the Westerly line of said 0.5045 acre tract, a distance of 232.39 feet to a 1/2 inch iron rod found in the Northwesterly line of that certain Block 2 of Country Club Greens Section Two Replat, a subdivision as shown on map or plat recorded under Film Code Number 548068 of the Map Records of Harris County, Texas, for the Southwesterly corner of said 0.5045 acre tract;

Thence, S 42°56'22" W, along the Northwesterly line of said Block 2 of Country Club Greens Section Two-Replat, the Northwesterly line of that certain Block 1 of said Country Club Greens Section Two-Replat, the Northwesterly line of that certain Block 2 of Country Club Greens Partial Replat-Phase Two, a subdivision as shown on map or plat recorded under Film Code Number 540231 of the Map Records of Harris County, Texas and the Northwesterly line of that certain Block 2 of Country Club Greens Partial Replat, a subdivision as shown on map or plat recorded under Film Code Number 519225 of the Map Records of Harris County, Texas, a distance of 1,846.30 feet to a 5/8 inch iron rod found for the Southeasterly corner of that certain called 5.3977 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P792577 and the most Southerly corner of said 31.994 acre tract;

Thence, N 13°37'50" W, along the Easterly line of said 5.3977 acre tract and the Easterly line of that certain called 5.5000 acres of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270, a distance of 558.86 feet to a 5/8 inch iron rod found for the Northeasterly corner of said 5.5000 acre tract and the Southeasterly corner of said 17.307 acre tract;

Thence, S 56°48'54" W, along the Northerly line of said 5.5000 acre tract and the Northerly line of that certain called 1.000 acre of land described in deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, a distance of 423.87 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of that certain Lot 1 of Huffsmith Kohrville Food Court, a subdivision as shown on map or plat recorded under Film Code Number 701507 of the Map Records of Harris County, Texas;

Thence, N 11°23'19" W, along the Easterly line of said Lot 1 of Huffsmith Kohrville Food Court, a distance of 290.49 feet to a 5/8 inch iron rod with cap found for the Northeasterly corner of said Lot 1 of Huffsmith Kohrville Food Court and an interior corner of said 17.307 acre tract;

Thence, N 14°21'35" W, severing said 17.307 acre tract, a distance of 261.11 feet to a point for corner;

Thence, S 60°51'41" W, a distance of 38.37 feet to an angle point;

Thence, S 65°38'25" W, a distance of 46.09 feet to a point of curvature to the right;

Thence, in a Southwesterly direction, with said curve to the right, having a central angle of 04°19'22", a radius of 1200.00 feet, an arc length of 90.53 feet, a chord bearing of S 67°48'06" W and a chord distance of 90.51 feet to a point of tangency;

Thence, S 69°57'46" W, a distance of 219.80 feet to a point for corner;

Thence, S 24°51'39" W, a distance of 28.07 feet to the proposed Northeasterly right-of-way line of Huffsmith Kohrville Road;

Thence, N 20°18'43" W, along the proposed Northeasterly right-of-way line of Huffsmith Kohrville Road, a distance of 139.94 feet to a point for corner;

Thence, S 65°08'21" E, a distance of 28.42 feet to a point for corner;

Thence, N 69°57'46" E, a distance of 220.16 feet to a point of curvature to the left;

Thence, in a Northeasterly direction, with said curve to the left, having a central angle of 04°19'22", a radius of 1100.00 feet, an arc length of 82.99 feet, a chord bearing of N 67°48'06" E and a chord distance of 82.97 feet to a point of tangency;

Thence, N 65°38'25" E, a distance of 46.09 feet to an angle point;

Thence, N 70°25'08" E, a distance of 54.69 feet to a point for corner;

Thence, N 14°21'35" W, a distance of 293.28 feet to a point for corner;

Thence, N 70°47'20" W, a distance of 43.49 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of said 2.3291 acre tract and an interior corner of said 17.307 acre tract;

Thence, N 02°23'19" W, along the Easterly line of said 2.3291 acre tract, a distance of 269.92 feet to the POINT OF BEGINNING and containing 43.149 acres of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983, DERIVED FROM CORS SITE RODS.



**City of Tomball
Public Improvement District (PID) Application**

APPLICANT INFORMATION

Name: FLS Development, LLC Title: Developer

Mailing Address: 17119 Lakeway Park Drive, Tomball, Texas 77375

Phone: (832) 515-1858 Email: kyle@flsdevelopers.com

Please attach additional applicant information as necessary.

OWNER INFORMATION

Name: Shawn Speer and Shonna Speer Title: Developer Partner

Mailing Address: 17119 Lakeway Park Drive, Tomball, Texas 77375

Phone: (713) 285-9367 Email: Shawn@harrisburgtx.com

PROJECT INFORMATION

Description of Proposed Project: Mixed use commercial/residential development along
Hufsmith Kohrville Rd.

Physical Location of Property: 22110 Hufsmith Kohrville Rd (Portion of)

HCAD Identification No.: Pending Acreage: 50.1051

Current Use of Property: Undeveloped agricultural

Proposed Use of Property: Mixed use residential/commercial

PID CONSIDERATIONS

Please intimal which consideration from the “Development Policy for Special Financing Districts” the PID request adheres to and provide detailed reasoning as to how.

KF	1. Generates economic and superior development benefits to the City beyond what normal development would generate.
KF	2. Provide for improvements in the public right of way (e.g. entryways, landscaping, fountains, specialty lighting, art, decorative and landscaped streets and sidewalks, bike lanes, multi-use trails, signage, etc.)
	3. Meet community needs (e.g. enhanced drainage improvements, parks and off-street public parking facilities, pedestrian connectivity, water and wastewater on or off-site improvements) including without limitation development’s pro-rate share of the regional facilities and services.
KF	4. Implement City of Tomball master plans, including water, wastewater, parks, and trails.
KF	5. Increase or enhance the City’s transportation and roadway plans.
	6. Exceed development requirements in the City, including but not limited to enhanced architectural standards, enhanced landscaping, enhanced amenities, and provide for the superior design of lots or buildings.
KF	7. Preserve and protect natural amenities and environmental assets such as lakes, trees, creeks, ponds, floodplains, slopes, hills, and wildlife habitats.
KF	8. Willing to annex into the City of Tomball, if applicable, in exchange for the creation of a PID.
KF	9. Provide a unique or special development to the Tomball community (e.g. amenity centers, play areas, pools, picnic facilities, multi-purpose trails.)
KF	10. Have the support of 100% of the owners of the property within the PID.

1. The elevated single family home prices within the lot coverage and land-use area provide higher tax revenue per acre than what can typically be found throughout Tomball.

2. Public ROW is being dedicated to-and-through the property with public access to parks and trails created within the PID boundary.

3. NA

4. Parks and trails as defined in the PD documents.

5. Public ROW is being dedicated to-and-through the property to connect future major thoroughfares.

6. Elevated development requirements are defined in the PD documents.

7. NA

8. This property will be annexed into the City of Tomball in exchange for the creation of a PID.

9. The PD documents describe a unique and special development to the Tomball Community.

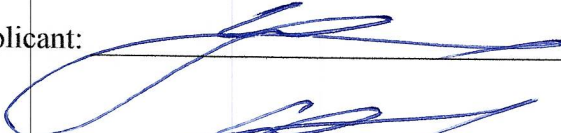
10. All owners are in agreement and support the creation of a PID for the property.

<u>Exhibit A</u>	Completed PID petition
<u>Delivered 11/14</u>	Non-refundable payment of PID Application Review Fee
<u>Cover Letter</u>	Letter from Developer/Applicant requesting consideration of PID
<u>Exhibit C</u>	General summary and description of proposed development
<u>Exhibit C</u>	Site plan or general plan that shows land use and thoroughfare connections
<u>Exhibit C</u>	Demonstration of how the development is in compliance with the City's Comprehensive Plan and Future Land Use Plan
<u>Exhibit C</u>	Demonstration of how the proposed development is in compliance with the zoning of the property
<u>Exhibit C</u>	Description of any amenities for the proposed development
<u>Exhibit C</u>	Description of any elevated design and landscaping standards for the proposed development
<u>Cover Letter</u>	Summary of special benefits to be received by the development
<u>Cover Letter</u> <u>Exhibit D</u> <u>Exhibit E</u>	Evidence the developer has the expertise, experience, necessary capital, and financial backing to complete the new development to be supported by the District financing
<u>Exhibit D</u>	Identify all project expenses and costs, including acquisition, construction, and any applicable long-term management cost
<u>Exhibit D & E</u>	Description and preliminary estimate of public infrastructure included with development (include both developer-funded and proposed PID-funded elements)
<u>Exhibit F</u>	Propose total assessment and tax rate equivalent
<u>Exhibit F</u>	Description of any property that will be subject to or exempt from assessments
<u>N/A</u>	Any additional information which you believe would be necessary for the City to evaluate the proposed project.

ACKNOWLEDGEMENT

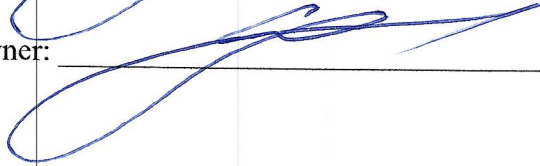
I, William Shawn Speer, certify that the information on this form and included in the attached City of Tomball PID Application is true and correct to the best of my knowledge and the undersigned is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in possible delays and/or denial.

Signature of Applicant:



Date: 5/15/25

Signature of Owner:



Date: 5/15/25

**FLS Development
Planned Development Regulations
(Medical Complex Blvd & Hufsmith Kohville Rd)**

Contents

- a. General Provisions
- b. Land Uses
- c. Development Regulations
- d. Architecture Standards
- e. Landscape/Buffer Regulations
- f. Amenities

a. General Provisions

The Planned Development, PD, approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City of Tomball. If any provisions or regulations of any City of Tomball ordinance applicable in GR or SF-9 zoning districts is not contained in this ordinance, all of the regulations contained in the Development Code applicable to the GR and SF-9 zoning district in effect on the effective date of this ordinance shall apply to this PD.

Except as otherwise provided herein, the words used in this Planned Development have the same meaning established by the Development Code.

b. Land Uses

Permitted Land Uses are listed below. All others are prohibited.

- 1) Any use permitted by right in SF-9
- 2) Any use permitted in the General Retail District (GR) Zoning Code of Ordinances. In addition, the following uses will not be permitted as-of-right:
 - a) All-terrain vehicle dealer/sales
 - b) Amusement devices/arcade
 - c) Amusement, commercial (indoor)
 - d) Amusement, commercial (outdoor)
 - e) Animal Kennel (outdoor pens)
 - f) Appliance Repair
 - g) Automobile Wash (full service)
 - h) Automobile Wash (self-service)
 - i) Gasoline Station
 - j) Mini-warehouse/ self storage
 - k) Mobile Food Court
 - l) Non-city public assembly
 - m) Paint manufacture and/or mixing
 - n) Pawn shop

- o) Propane sales filling (retail)
- p) Quick lube/oil change/minor inspection
- q) School, college or university
- r) School, commercial trade (vocational)
- s) School, other than public or denominational
- t) School, public or denominational
- u) Scientific and industrial research laboratories (nonhazardous)
- v) Skating rink
- w) Taxidermist
- x) Temporary real estate field office
- y) Wedding chapel

c. Development Regulations

- 1) Area regulations for Single Family Lots
 - a) Minimum Lot Size – 8,400 Square Feet
 - b) Minimum Lot Width – 65 Feet
 - c) Minimum Lot Depth – 130 Feet
 - d) Minimum Front Yard – 25 Feet (35' adjacent to Arterial Street)
 - e) Minimum Side Yard – 5 Feet (15' adjacent to street, 25' adjacent to Arterial Street)
 - f) Minimum Rear Yard – 15 Feet (25' adjacent to Arterial)
 - g) Maximum Lot Coverage – 55% (including main buildings and accessory buildings)
 - h) Maximum Height – Two stories not to exceed 35 feet for the main building/house
- 2) Area Regulations for nonresidential uses
 - a) Minimum Lot Area – 6,000 Square Feet
 - b) Minimum Lot Width – 60 Feet
 - c) Minimum Lot Depth – 100 Feet
 - d) Minimum Front Yard – 35 feet
 - e) Minimum Side Yard (Interior) – 5 Feet (25' Adjacent to Arterial)
 - f) Minimum Side Yard Adjacent to Single Family – 25 Feet
 - g) Minimum Rear Yard – 15 Feet
 - h) Maximum floor area ratio (FAR) is 1:1
- 3) Develop full boulevard of Medical Complex Drive to serve the development (through the extent of single family residential construction) as shown in Exhibit A.

d. Architecture Standards

These recommendations and standards are meant to foster a sense of design continuity that will deliver the desired aesthetic of the planned residential development. The follow architectural criteria are intended to make the home builder and building designer aware of the architectural context, not to inhibit or limit unique design.

- 1) Building façade criteria and features:
 - a) Each residence must present an exterior design within the classification of “Modern Farmhouse” or “Craftsman” design.
 - b) Combined exterior materials and colors must vary from those within 4 residences of the subject. Crossing the street will count as one residence.

- c) Primary brick material may not be repeated within 4 residences
 - d) A variation of garage entries and garage sizes is expected as a general method of breaking up the street scene for the subdivision. This will include front loading 2 and 3 car garages as well as "J-Swing" garage entries.
- 2) Building façade finishes and materials:
- a) Each residence must include the following materials in varied methods of use.
 - b) Brick and/or Stone
 - c) Board and Batten siding or similar painted material
 - d) Cedar or other stained or painted decorative wood detailing
 - e) Minimum 8:12 Side to side roof pitch

e. Landscape/Buffer Regulations

- 1) Single Family Lot Requirements
- a) Each lot shall be fully landscaped with either trees, plants or otherwise coved with grass
 - b) Each lot shall have at least one 3.5" caliper shade tree planted in the front yard
 - c) See attached (Exhibit B) for landscaping guidelines.
- 2) Non-residential Requirements
- a) Provide 30' landscape buffer and tree preservation between commercial reserve tracts and single family lots
 - b) Common areas near community signage, amenities, and within the esplanade for Medical Complex will be consistently landscaped with seasonal vegetation and flowers
- 3) The community park, fishing dock and shade structure shall be maintained with irrigated grass and seasonal landscaping.

f. Amenities

Amenities will be designed and built to complement the overall concept of the community with a similar use of materials and design concepts related to the home design requirements for the subdivision. When completed, the combination of the architectural design of the Amenities, the consistent branding of each area, and the complimentary design of the commercial section of the community will complete a destination environment combining a modern design with a nod to the history of Tomball.

The following amenities are required as shown on Exhibit A.

- 1) Up to two (2) Wet amenity detention ponds with fountains.
- 2) Designated walking trails around amenity ponds .
- 3) Playground structure.
- 4) Fishing Dock.
- 5) Shade structure.
- 6) Up to two (2) monument signs within platted area.

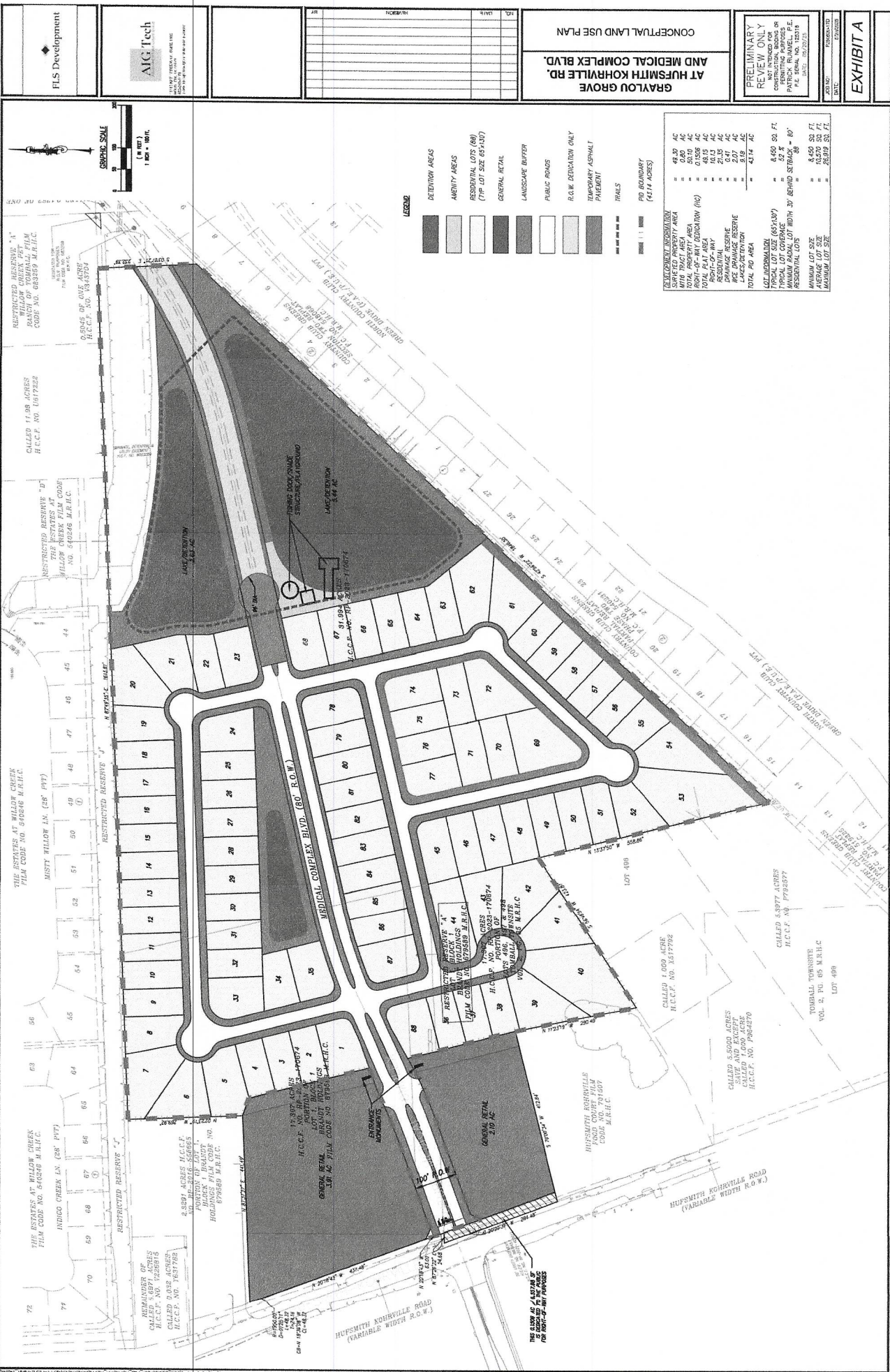


EXHIBIT A

CONCEPTUAL LAND USE PLAN
AT HUFSMITH KOHRVILLE RD.
AND MEDICAL COMPLEX BLVD.
GRAYLOU GROVE

PRELIMINARY
REVIEW ONLY
CONSTRUCTION, BIDDING OR
CONSTRUCTION OF THIS PROJECT
PATTERN, PLANS, ETC.
P.E. SERIAL NO. 125318
DATE: 10/27/2020

2020
DATE
PROJECT
SUBJECT

PLS Development
AIG Tech
HUFSMITH KOHRVILLE RD.
AND MEDICAL COMPLEX BLVD.
GRAYLOU GROVE

EXHIBIT B

Landscaping Guidelines

Just as all structures built throughout Graylou Grove from commercial to residences to amenity structures will be required to include design elements consistent with one another, landscaping in all of these areas will be expected to create a consistent and beautiful vegetation concept throughout the development.

A focus will be made on trees, plants and flowers which are native to the area and the State of Texas in general. Trees planted will be Oaks, implementation of plants will have a focus on evergreen selections and color will be provided by plants and flowers which do well in the environment and seasonal use of their intent.

All areas landscaped as part of the development will remain on an ongoing maintenance plan including irrigation and landscaping maintenance workers who will perform work on a regular basis.

Treelines:

Areas designated as treelines will be completed with selected Oaks of 6" in diameter or greater.

Common Areas:

Common areas in the development will include areas around signage, inside medians of Medical Complex, and throughout the amenity area at east end of the community.

These areas will require coverage by landscaping. Medians will be presented with a combination of mulch, St Augustine Grass, Evergreen plants and seasonal plants and flowers. These areas will be maintained through irrigation and ongoing care through landscaping professionals.

Areas immediately surrounding amenities or signage will be maintained with a combination of St. Augustine grass, mulch, evergreen plants and seasonal color.

Smaller, more detailed areas that require grass will be completed with the laying of sod while larger open areas will be completed through the use of grass seed.

Residential Requirements:

In order to be considered complete per community guidelines, each residence must include at least one 3.5 caliper tree of Oak or other approve tree, a fully sodded and irrigated front yard (to front corner of home at a minimum) and a landscaping area which must be a minimum of 5' x 20' in size. Landscaped should include a combination of mulch beds, evergreen plants and seasonal plants with color or seasonal flowers.

DESCRIPTION
OVERALL ACREAGE

49.301 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being that certain called 31.994 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2023-170674, that certain called 17.307 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2023-171232, a portion of that certain Reserve "A" and Lot 1 of Brandt Holdings, a subdivision as shown on map or plat recorded under Film Code Number 679589 of the Map Records of Harris County, Texas, a portion of those certain Lots 489, 490, 495, 496, 497 and 498 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the Map Records of Harris County, Texas and those certain Lots 491, 492, 493 and 494 of said Tomball Townsite, said 49.301 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap found in the Southerly line of that certain Restricted Reserve "J" of The Estates at Willow Creek, a subdivision as shown on map or plat recorded under Film Code Number 540246 of the Map Records of Harris County, Texas, for the Northeasterly corner of that certain called 2.3291 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2016-558665 and the Northerly Northwest corner of said 17.307 acre tract;

Thence, N 87°49'35" E, along the Southerly line of said Restricted Reserve "J" of The Estates at Willow Creek, the Southerly line of that certain called 11.98 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number U517222 and the Southerly line of that certain Restricted Reserve "A" of Willow Creek Pet Ranch of Tomball, a subdivision as shown on map or plat recorded under Film Code Number 683259 of the Map Records of Harris County, Texas, a distance of 2,003.38 feet to the Northeasterly corner of said 31.994 acre tract;

Thence, S 03°07'21" E, along the Westerly line of that certain called 0.5045 of one acre of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number V343704, a distance of 232.39 feet to a 1/2 inch iron rod found in the Northwesterly line of that certain Block 2 of Country Club Greens Section Two-Replat, a subdivision as shown on map or plat recorded under Film Code Number 548068 of the Map Records of Harris County, Texas, for the Southwesterly corner of said 0.5045 acre tract;

Thence, S 42°56'22" W, along the Northwesterly line of said Block 2 of Country Club Greens Section Two-Replat, the Northwesterly line of that certain Block 1 of said Country Club Greens Section Two-Replat, the Northwesterly line of that certain Block 2 of Country Club Greens Partial Replat-Phase Two, a subdivision a shown on map or plat recorded under Film Code Number 540231 of the Map Records of Harris County, Texas and the Northwesterly line of that certain Block 2 of Country Club Greens Partial Replat, a subdivision as shown on map or plat recorded under Film Code Number 519225 of the Map Records of Harris County, Texas, a distance of 1,846.30 feet to a 5/8 inch iron rod found for the Southeasterly corner of that certain called 5.3977 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P792577 and the most Southerly corner of said 31.994 acre tract;

Thence, N 13°37'50" W, along the Easterly line of said 5.3977 acre tract and the Easterly line of that certain called 5.5000 acres of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number P964270, a distance of 558.86 feet to a 5/8 inch iron rod found for the Northeasterly corner of said 5.5000 acre tract and the Southeasterly corner of said 17.307 acre tract;

Thence, S 56°48'54" W, along the Northerly line of said 5.5000 acre tract and the Northerly line of that certain called 1.000 acre of land described deed recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number X517792, a distance of 423.87 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of that certain Lot 1, Block 1 of Huffsmith Kohrville Food Court, a subdivision as shown on map or plat recorded under Film Code Number 701507 of the Map Records of Harris County, Texas;

Thence, N 11°23'19" W, along the Easterly line of said Lot 1, Block 1 of Huffsmith Kohrville Food Court, a distance of 290.49 feet to a 5/8 inch iron rod with cap found for the Northeasterly corner of said Lot 1, Block 1 of Huffsmith Kohrville Food Court and an interior corner of said 17.307 acre tract;

Thence, S 76°00'34" W, along the Northerly line of said Lot 1, Block 1 of Huffsmith Kohrville Food Court, a distance of 412.84 feet to a 5/8 inch iron rod with cap found in the Easterly right-of-way line of Huffsmith Kohrville Road (variable width right-of-way);

Thence, along the Easterly right-of-way line of said Huffsmith Kohrville Road, the following courses and distances:

N 20°20'37" W, a distance of 284.48 feet to a 5/8 inch iron rod found for the Southwesterly corner of that certain called 0.3634 of one acre of land dedicated for the widening of Huffsmith Kohrville Road by said map or plat of Brandt Holdings;

N 87°26'22" E, a distance of 24.68 feet to a 5/8 inch iron rod with cap found for the Southwesterly corner of said Reserve "A" of Brandt Holdings and the Southeasterly corner of said dedication;

N 20°18'43" W, a distance of 437.48 feet to a 5/8 inch iron rod with cap found for a point of curvature to the right;

In a Northwesterly direction, with said curve to the right, having a central angle of 01°25'11", a radius of 1950.00 feet, an arc length of 48.32 feet, a chord bearing of N 19°36'08" W and a chord distance of 48.32 feet to a 5/8 inch iron rod with cap found for the Southwesterly corner of said 2.3291 acre tract;

Thence, N 87°37'27" E, along the Southerly line of said 2.3291 acre tract, a distance of 441.49 feet to a 5/8 inch iron rod with cap found for the Southeasterly corner of said 2.3291 acre tract;

Thence, N 02°23'19" W, along the Easterly line of said 2.3291 acre tract, a distance of 269.92 feet to the POINT OF BEGINNING and containing 49.301 acres of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983, DERIVED FROM CORS SITE RODS.

TRACT BEING SHOWN ON MAP (SEE HSC NO. 2115000OVERALL.dwg)

HOVIS SURVEYING COMPANY, INC.

Texas Firm Registration No. 10030400

By: _____

Date: October 30, 2023

Job No: 21-150-00

File No: F21-150.00D

Dwg File: 2115000OVERALL.dwg





FLS Development, LLC - Graylou Grove
AIG Technical Services Job No.: P250520-17D

<u>Description</u>		<u>WSD</u>		<u>Roadway</u>		<u>Out-of-District</u>		<u>Total</u>
B1. General & Site Preparation Items	\$	517,136	\$	-	\$	-	\$	517,136
B2. SWPPP Items	\$	199,823	\$	199,823	\$	3,056	\$	402,701
B3. Water Distribution Items	\$	813,192	\$	-	\$	-	\$	813,192
B4. Wastewater Collection Items	\$	574,974	\$	-	\$	-	\$	574,974
B5. Stormwater Collection Items	\$	1,539,396	\$	-	\$	13,038	\$	1,552,434
B6. Natural Gas Distribution Items	\$	197,220	\$	-	\$	-	\$	197,220
B7. Excavation and Paving Items	\$	-	\$	3,104,590	\$	134,633	\$	3,239,224
B7. Traffic and Traffic Control Items	\$	-	\$	83,200	\$	-	\$	83,200
C. Extra Unit Price Items	\$	111,130	\$	-	\$	-	\$	111,130
D. Cash Allowances	\$	130,000	\$	639,600	\$	135,200	\$	904,800
Subtotal	\$	4,082,871	\$	4,027,213	\$	285,927	\$	8,396,011
Construction Staking (1.5%)	\$	61,243	\$	60,408	\$	4,289	\$	125,940
City of Tomball Construction Permit Fee (2%)	\$	81,657	\$	80,544	\$	5,719	\$	167,920
Certification of Insurance, Performance, Payment and Maintenance Bonds (2%)	\$	83,000	\$	82,000	\$	6,000	\$	171,000
Contingency (5%)	\$	215,439	\$	212,508	\$	15,097	\$	443,044
Sub-Total Construction Cost	\$	4,524,210	\$	4,462,674	\$	317,031	\$	9,303,915
Drainage Impact Fee	\$	-	\$	-	\$	-	\$	-
Engineering Fees (8%)	\$	361,937	\$	357,014	\$	25,362	\$	744,313
Geotechnical Eng. & Construction Material Testing (2%)	\$	90,484	\$	89,253	\$	6,341	\$	186,078
Sub-Total Engineering and Fees	\$	452,421	\$	446,267	\$	31,703	\$	930,391
Total Preliminary Construction Cost Estimate	\$	4,976,631	\$	4,908,941	\$	348,734	\$	10,234,306
Cost per Lot	88	\$	56,553	\$	55,783	-	\$	116,299
Cost per Acre	47.9	\$	103,919	\$	102,506	-	\$	213,707

Notes

- 1 Estimate does not include any additional costs that may be required for development outside the scope outlined above. These fees may include street lighting, dry utilities, etc.
- 2 The quantities reflected on this estimate were tabulated from 30% preliminary engineering drawings. The unit prices shown hereon are based on current bid prices received in this office, are valid for 30 days from tabulation, and are subject to change pending approved construction plans and market conditions.
- 3 A 4% escalation of construction unit prices has been included from the engineer's opinion of probable construction cost dated March 7, 2024 prepared by Civil Systems Engineering, Inc.

Patrick Rummel

05/21/2025





Preliminary Estimate of Potential Construction Costs
Client: FLS Development, LLC
Project Address: Hufsmith Kohrville
AIG Technical Services, LLC Project No.: P250520-17D
Phase: Graylou Grove 30% Estimate

Detention Pro-Rata			
Total Plat Area	49.150	AC	
Commercial Reserves	5.999	AC	
Total Detention Volume	33.88	ac-ft	
Detention Rate	0.689	ac-ft/ac	
PID Detention (Pro-rata)	88.0%		
Commercial Detention (Pro-rata)	12.0%		

B1. General & Site Preparation Items

Item No.	Control No.	Item Description	Unit Measure	Unit Quantity	Unit Price	Total	In District	Out-of-District	Shared Quantities
1	01502	Mobilization (4%)	LS	1	\$ 208,000	\$ 208,000	\$ 208,000	\$ -	-
2	01578	Ground Water Control for Open-Cut Construction	LF	27,725	\$ 2	\$ 58,221	\$ 58,221	\$ -	-
3	01740	Site Restoration	SY	-	\$ 3	\$ -	\$ -	\$ -	-
4	02221	Removing Existing Asphalt Pavement	SY	-	\$ -	\$ -	\$ -	\$ -	-
5	02221	Removing Existing Concrete Driveway	SY	-	\$ -	\$ -	\$ -	\$ -	-
6	02221	Removing Existing Concrete Curb	LF	150	\$ 10	\$ 1,560	\$ 1,560	\$ -	-
7	02221	Fence Removal	LS	1	\$ 5,200	\$ 5,200	\$ 5,200	\$ -	-
8	02233	Clearing & Grubbing (Heavy Clearing)	AC	47.9	\$ 2,080	\$ 99,610	\$ 99,610	\$ -	-
9	02233	Clearing & Grubbing (Underbrushing)	AC	47.9	\$ 1,477	\$ 70,723	\$ 70,723	\$ -	-
10	02221	Removal and Abandonment of Utilities	LS	1	\$ 15,600	\$ 15,600	\$ 15,600	\$ -	-
11	02260	Trench Safety	LF	27,725	\$ 2	\$ 58,221	\$ 58,221	\$ -	-
Total General & Site Preparation Items						\$ 517,136	\$ 517,136	\$ -	-

B2. SWPPP Items

Item No.	Control No.	Item Description	Unit Measure	Unit Quantity	Unit Price	Total	In District	Out-of-District	Shared Quantities
12	01570,01410	BMP Implementation and Maintenance	MO	9	\$ 2,080	\$ 18,720	\$ 18,720	\$ -	-
13	01574	Filter Fabric Fence (Install & Remove)	LF	7,175	\$ 2	\$ 15,068	\$ 12,012	\$ 3,056	1,455
14	01574	Temporary Type II Filter Dam (Install & Remove)	EA	1	\$ 4,160	\$ 4,160	\$ 4,160	\$ -	-
15	01575	Stabilized Construction Exit (Install & Remove)	SY	444	\$ 36	\$ 16,162	\$ 16,162	\$ -	-
16	01577	Inlet Protection Barrier (Wattle)(Install & Remove)	LF	380	\$ 8	\$ 3,154	\$ 3,154	\$ -	-
17	01577	Inlet Protection Barrier (Stage 1)(Install & Remove)	LF	136	\$ 5	\$ 707	\$ 707	\$ -	-
18	01577	Inlet Protection Barrier (Catch Basin)(Install & Remove)	EA	2	\$ 26	\$ 52	\$ 52	\$ -	-
19	02921	Hydromulch Seeding	AC	25.2	\$ 2,080	\$ 52,416	\$ 52,416	\$ -	-
20	02922	Solid Sod	SY	69,586	\$ 4	\$ 292,263	\$ 292,263	\$ -	-
Total SWPPP Items						\$ 402,701	\$ 399,646	\$ 3,056	-

B3. Water Distribution Items

Item No.	Control No.	Item Description	Unit Measure	Unit Quantity	Unit Price	Total	In District	Out-of-District	Shared Quantities
21	02511	4-inch Diameter PVC by Open Cut (C900)(DR 18)	LF	480	\$ 42	\$ 19,968	\$ 19,968	\$ -	-
22	02511	8-inch Diameter PVC by Open Cut (C900)(DR 18)	LF	3,973	\$ 78	\$ 309,894	\$ 309,894	\$ -	-
23	02511	8-inch Diameter PVC w/ RJ by Open Cut (C900)(DR 18)	LF	348	\$ 156	\$ 54,288	\$ 54,288	\$ -	-
24	02511	12-inch Diameter PVC by Open Cut (C900)(DR 18)	LF	1,341	\$ 88	\$ 118,544	\$ 118,544	\$ -	-
25	02511	12-inch Diameter PVC w/ RJ by Open Cut (C900)(DR 18)	LF	175	\$ 177	\$ 30,940	\$ 30,940	\$ -	-
26	02511	12-inch Diameter Steel Casing by Open Cut	LF	348	\$ 135	\$ 47,050	\$ 47,050	\$ -	-
27	02511	16-inch Diameter Steel Casing by Open Cut	LF	90	\$ 166	\$ 14,976	\$ 14,976	\$ -	-
28	02511	16-inch Diameter Steel Casing by Trenchless	LF	85	\$ 218	\$ 18,564	\$ 18,564	\$ -	-
29	02511	8-inch Diameter PVC Plug & Clamp	EA	1	\$ 520	\$ 520	\$ 520	\$ -	-
30	02511	12-inch Diameter PVC Plug & Clamp	EA	1	\$ 780	\$ 780	\$ 780	\$ -	-
31	02512	12"x12" TS&V and Wet Connect	EA	1	\$ 4,160	\$ 4,160	\$ 4,160	\$ -	-
32	02512	Long Side Service Lead	EA	19	\$ 1,040	\$ 19,760	\$ 19,760	\$ -	-
33	02512	Short Side Service Lead	EA	32	\$ 2,080	\$ 66,560	\$ 66,560	\$ -	-
34	02520	Fire Hydrant Assembly Includ. GV&B	EA	9	\$ 5,200	\$ 46,800	\$ 46,800	\$ -	-
35	02520	6-inch Diameter Fire Hydrant Branch by Open Cut (C900)(DR 18)	LF	136	\$ 31	\$ 4,228	\$ 4,228	\$ -	-
36	02521;02085	4-inch Diameter Gate Valve & Box w/ Lid	EA	2	\$ 1,560	\$ 3,120	\$ 3,120	\$ -	-
37	02521;02085	8-inch Diameter Gate Valve & Box w/ Lid	EA	13	\$ 3,120	\$ 40,560	\$ 40,560	\$ -	-
38	02521;02085	12-inch Diameter Gate Valve & Box w/ Lid	EA	3	\$ 4,160	\$ 12,480	\$ 12,480	\$ -	-
Total Water Items						\$ 813,192	\$ 813,192	\$ -	-

B4. Wastewater Collection Items

Item No.	Control No.	Item Description	Unit Measure	Unit Quantity	Unit Price	Total	In District	Out-of-District	Shared Quantities
39	02082	4-foot Diameter Precast Concrete Manhole w/ Lining	EA	22	\$ 5,200	\$ 114,400	\$ 114,400	\$ -	-
40	02082	4-foot Diameter Precast Concrete Manhole w/ Lining (Shallow Depth)	EA	2	\$ 8,320	\$ 16,640	\$ 16,640	\$ -	-
41	02082	5-foot Diameter Precast Concrete Manhole w/ Lining	EA	1	\$ 6,760	\$ 6,760	\$ 6,760	\$ -	-
42	02082	Extra Depth 5-foot Diameter Precast Concrete Manhole	VF	-	\$ 520	\$ -	\$ -	\$ -	-
43	02082	Extra Depth 4-foot Diameter Precast Concrete Manhole	VF	-	\$ 364	\$ -	\$ -	\$ -	-
44	02531	8-inch Diameter PVC by Open Cut (C900)(SDR 26)	LF	3,192	\$ 62	\$ 199,181	\$ 199,181	\$ -	-
45	02531	10-inch Diameter PVC by Open Cut (C900)(SDR 26)	LF	1,518	\$ 83	\$ 126,298	\$ 126,298	\$ -	-
46	02534	Sanitary Sewer Service Lead (Short Side)(w/o stack)	EA	22	\$ 1,352	\$ 29,744	\$ 29,744	\$ -	-
47	02534	Sanitary Sewer Service Lead (Long Side)(w/o stack)	EA	17	\$ 2,600	\$ 44,200	\$ 44,200	\$ -	-
48	02534	Sanitary Sewer Service Lead (Long Side)(w/o stack)(Over 75')	EA	12	\$ 3,120	\$ 37,440	\$ 37,440	\$ -	-
48	02534	10-inch Diameter Sanitary Sewer Plug and Cap	EA	1	\$ 312	\$ 312	\$ 312	\$ -	-
Total Sanitary Items						\$ 574,974	\$ 574,974	\$ -	-

B5. Stormwater Collection Items

Item No.	Control No.	Item Description	Unit Measure	Unit Quantity	Unit Price	Total	In District	Out-of-District	Shared Quantities
48	02631	24-inch Diameter Storm Sewer by Open Cut (RCP)(CL III)	LF	2,264	\$ 99	\$ 223,683	\$ 223,019	\$ 664	56
49	02631	24-inch Diameter Storm Sewer Lead by Open Cut (RCP)(CL III)	LF	884	\$ 104	\$ 91,936	\$ 91,936	\$ -	-
50	02631	30-inch Diameter Storm Sewer by Open Cut (RCP)(CL III)	LF	521	\$ 135	\$ 70,439	\$ 70,439	\$ -	-
51	02631	30-inch Diameter Storm Sewer Lead by Open Cut (RCP)(CL III)	LF	66	\$ 140	\$ 9,266	\$ 9,266	\$ -	-
52	02631	36-inch Diameter Storm Sewer by Open Cut (RCP)(CL III)	LF	690	\$ 177	\$ 121,992	\$ 113,824	\$ 8,168	385
53	HCFC	36-inch Diameter Storm Sewer by Open Cut (HDPE) w/ Timber Bents	LF	78	\$ 156	\$ 12,168	\$ 10,708	\$ 1,460	78
54	02631	42-inch Diameter Storm Sewer by Open Cut (RCP)(CL III)	LF	325	\$ 218	\$ 70,980	\$ 70,980	\$ -	-
55	02631	48-inch Diameter Storm Sewer by Open Cut (RCP)(CL III)	LF	121	\$ 255	\$ 30,831	\$ 30,831	\$ -	-
56	02631	54-inch Diameter Storm Sewer by Open Cut (RCP)(CL III)	LF	123	\$ 359	\$ 44,132	\$ 44,132	\$ -	-

57	02631	60-inch Diameter Storm Sewer by Open Cut (RCP)(CL III)	LF	988	\$	390	\$	385,320	\$	385,320	\$	-	-
58	02632	Cast-in-place Headwall (5-inch Concrete Slope Paving)(24" Strm)	EA	3	\$	2,600	\$	7,800	\$	7,488	\$	312	1
59	02632	Cast-in-place Headwall (5-inch Concrete Slope Paving)(60" Strm)	EA	2	\$	15,600	\$	31,200	\$	31,200	\$	-	-
60	02633	Standard Type C Precast Concrete Inlet	EA	23	\$	5,200	\$	119,600	\$	119,600	\$	-	-
61	02633	Standard Type C-1 Precast Concrete Inlet	EA	10	\$	5,720	\$	57,200	\$	57,200	\$	-	-
62	02633	Standard Type D Precast Concrete Inlet	EA	2	\$	3,640	\$	7,280	\$	7,280	\$	-	-
63	02633	Standard Type E Precast Concrete Inlet	EA	2	\$	4,680	\$	9,360	\$	9,360	\$	-	-
64	02633	Standard Type "C" Storm Manhole (48-inch Diameter)	EA	19	\$	5,200	\$	98,800	\$	98,800	\$	-	-
65	02633	Standard Type "C" Storm Manhole (60-inch Diameter)	EA	8	\$	6,760	\$	54,080	\$	51,646	\$	2,434	3
66	02633	Standard Type "C" Storm Manhole (72-inch Diameter)	EA	1	\$	8,580	\$	8,580	\$	8,580	\$	-	-
67	02633	Standard Type "C" Storm Manhole (84-inch Diameter)	EA	5	\$	9,880	\$	49,400	\$	49,400	\$	-	-
68	02633	Precast Concrete Junction Box (8'x8') w/ Type E Inlet	EA	2	\$	18,720	\$	37,440	\$	37,440	\$	-	-
69	HCFC	Riprap Grade No.1	TON	75	\$	99	\$	7,410	\$	7,410	\$	-	-
70	HCFC	SET (TY II)(4-1)(24 IN)(4-1)(P)	EA	2	\$	1,768	\$	3,536	\$	3,536	\$	-	-
Total Stormwater Items								\$ 1,552,434	\$ 1,539,396	\$ 13,038			

B6. Natural Gas Distribution Items

Item No.	Control No.	Item Description	Unit Measure	Unit			Total						
				Quantity	Unit Price								
71	02685	4-inch Diameter PE Pipe (PE2406)	LF	1,505	\$	36	\$	54,782	\$	54,782	\$	-	-
72	02685	4-inch Diameter Valve and Box	EA	3	\$	1,872	\$	5,616	\$	5,616	\$	-	-
73	02685	4-inch Diameter Plug	EA	1	\$	416	\$	416	\$	416	\$	-	-
74	02685	2-inch Diameter PE Pipe (PE2406)	LF	4,788	\$	21	\$	99,590	\$	99,590	\$	-	-
75	02685	2-inch Diameter Valve and Box	EA	10	\$	1,248	\$	12,480	\$	12,480	\$	-	-
76	02685	Zinc Anode	EA	14	\$	73	\$	1,019	\$	1,019	\$	-	-
77	02685	Test Station	EA	7	\$	62	\$	437	\$	437	\$	-	-
78	02685	8-inch Diameter Steel Casing by Trenchless w/ 2-inch SCH 40 Steel Ve	LF	110	\$	208	\$	22,880	\$	22,880	\$	-	-
79	02685	8-inch Diameter Steel Casing by Open Cut w/ 2-inch SCH 40 Steel Ver	LF	150	\$	88	\$	13,260	\$	13,260	\$	-	-
80	02685	6-inch Diameter Steel Casing by Open Cut w/ 2-inch SCH 40 Steel Ver	LF	310	\$	68	\$	20,956	\$	20,956	\$	-	-
81	02685	Pipeline Markers	EA	6	\$	208	\$	1,248	\$	1,248	\$	-	-
Total Gas Items								\$ 197,220	\$	197,220	\$	-	-

B7. Excavation and Paving Items

Item No.	Control No.	Item Description	Unit Measure	Unit		Total							
				Quantity	Unit Price								
78	02315	Excavation (On-Site)(Complete In Place)	CY	102,654	\$	6	\$	636,454	\$	560,079	\$	76,374	12,318
79	02319	Fill (On-Site)(Complete In Place)	CY	104,828	\$	4	\$	440,276	\$	387,443	\$	52,833	12,579
80	02319	Imported Fill	CY	2,174	\$	21	\$	45,215	\$	39,789	\$	5,426	261
81	02337	Fly Ash (8%) for 6-inch Stabilized Subgrade	TON	530	\$	146	\$	77,168	\$	77,168	\$	-	-
82	02337	Lime (4%) for 6-inch Stabilized Subgrade	TON	265	\$	374	\$	99,216	\$	99,216	\$	-	-
83	02337	Lime/Fly-Ash Stabilized Subgrade	SY	25,594	\$	5	\$	133,089	\$	133,089	\$	-	-
84	02711	Hot Mix Asphalt Base Course (9-inch)	SY	2,114	\$	62	\$	131,941	\$	131,941	\$	-	-
85	02741	Asphaltic Concrete Pavement (2-inch)	SY	2,068	\$	13	\$	25,856	\$	25,856	\$	-	-
86	02741	Hot Mix-Hot Laid Asphalt Concrete	TON	228	\$	125	\$	28,454	\$	28,454	\$	-	-
87	02751	Reinforced Concrete Pavement (9-inch)	SY	8,753	\$	78	\$	682,769	\$	682,769	\$	-	-
88	02751	Reinforced Concrete Pavement (7-inch)	SY	13,495	\$	62	\$	842,075	\$	842,075	\$	-	-
89	02751	Reinforced Concrete Driveway (6-inch)	SY	204	\$	57	\$	11,663	\$	11,663	\$	-	-
90	02767	Pavement Markings & Signs (All Types and Colors)	LS	1	\$	10,400	\$	10,400	\$	10,400	\$	-	-
91	02771	Pavement Header	LF	225	\$	16	\$	3,510	\$	3,510	\$	-	-
92	02771	4"x12" Laydown Concrete Curb	LF	7,435	\$	5	\$	38,662	\$	38,662	\$	-	-
93	02771	6" Concrete Curb (Monolithic)	LF	5,238	\$	6	\$	32,476	\$	32,476	\$	-	-
94	02772	Colored Concrete Median (Brick Pavers or Stamped Conc)	SY	320	\$	114	\$	36,608	\$	36,608	\$	-	-
95	02775	Concrete Sidewalk	SF	13,845	\$	6	\$	85,839	\$	85,839	\$	-	-
95	02775	Concrete Sidewalk (Wheelchair Ramp)	SF	650	\$	21	\$	13,520	\$	13,520	\$	-	-
96	COT STR-27	Standard Type III Barricade	EA	-	\$	1,040	\$	-	\$	-	\$	-	-
Total Paving Items								\$ 3,239,224	\$ 3,104,590	\$ 134,633			

B7. Traffic and Traffic Control Items

Item No.	Control No.	Item Description	Unit Measure	Unit		Total							
				Quantity	Unit Price								
97	HCED	Traffic Signal Adjustment	LS	1	\$	52,000	\$	52,000	\$	52,000	\$	-	-
98	01555	Traffic Control and Regulation	LS	1	\$	20,800	\$	20,800	\$	20,800	\$	-	-
99	01555	Flagger	LS	1	\$	10,400	\$	10,400	\$	10,400	\$	-	-
Total Traffic and Traffic Control Items							\$	83,200	\$	83,200	\$	-	-

C. Extra Unit Price Items

Item No.	Control No.	Item Description	Unit Measure	Unit		Total							
				Quantity	Unit Price								
100	02221	Extra Removal of Exist Pmnt (Including Sawcuts)	SY	100	\$	10	\$	1,040	\$	1,040	\$	-	-
101	02314	Regrade roadside ditch/swale	LF	300	\$	19	\$	5,610	\$	5,610	\$	-	-
102	02314	Extra Roadway Excavation & Haul Off	CY	100	\$	10	\$	1,040	\$	1,040	\$	-	-
103	02318	Extra Hand Excavation	CY	100	\$	26	\$	2,600	\$	2,600	\$	-	-
104	02318	Extra Machine Excavation	CY	100	\$	31	\$	3,120	\$	3,120	\$	-	-
105	02318	Extra Bank Sand Backfill	CY	100	\$	19	\$	1,870	\$	1,870	\$	-	-
106	02321	Extra Cement Stabilized Sand	CY	100	\$	23	\$	2,290	\$	2,290	\$	-	-
107	02319	Extra Borrow	CY	1,000	\$	83	\$	83,200	\$	83,200	\$	-	-
108	02921	Extra Hydromulch Seeding	AC	2	\$	2,080	\$	4,160	\$	4,160	\$	-	-
109	02922	Extra Sodding	SY	1,000	\$	6	\$	6,200	\$	6,200	\$	-	-
Total Extra Unit Price Items								\$ 111,130	\$	111,130	\$	-	-

D. Cash Allowances

Item No.	Control No.	Item Description	Unit Measure	Unit	Quantity	Unit Price	Total						
110		Pipelines/Flowline Removal and Disposal	CA	1	\$	15,600	\$	15,600	\$	15,600	\$	-	-
111		Oil/Gas Well Modifications (lowering and recapping)	CA	1	\$	208,000	\$	208,000	\$	104,000	\$	104,000	50%
112		Pond Dewatering	CA	1	\$	26,000	\$	26,000	\$	26,000	\$	-	-
113		Landscaping & Irrigation & Amenities	CA	1	\$	603,200	\$	603,200	\$	572,000	\$	31,200	5%
114		Amenity Pond Fountains	CA	1	\$	20,800	\$	20,800	\$	20,800	\$	-	-
115		CCN 13203 Water Relocation	CA	1	\$	10,400	\$	10,400	\$	10,400	\$	-	-
116		HCED Permits	CA	1	\$	10,400	\$	10,400	\$	10,400	\$	-	-
117		HCFC Permits	CA	1	\$	10,400	\$	10,400	\$	10,400	\$	-	-

Total Cash Allowances**Summary**

B1. General & Site Preparation Items

B2. SWPPP Items

B3. Water Distribution Items

B4. Wastewater Collection Items

B5. Stormwater Collection Items

B6. Natural Gas Distribution Items

B7. Excavation and Paving Items

B7. Traffic and Traffic Control Items

C. Extra Unit Price Items

D. Cash Allowances

Sub Total

\$	904,800	\$	769,600	\$	135,200
\$	517,136	\$	517,136	\$	-
\$	402,701	\$	399,646	\$	3,056
\$	813,192	\$	813,192	\$	-
\$	574,974	\$	574,974	\$	-
\$	1,552,434	\$	1,539,396	\$	13,038
\$	197,220	\$	197,220	\$	-
\$	3,239,224	\$	3,104,590	\$	134,633
\$	83,200	\$	83,200	\$	-
\$	111,130	\$	111,130	\$	-
\$	904,800	\$	769,600	\$	135,200
\$	8,396,011	\$	8,110,084	\$	285,927

EARTHWORK COMPUTATION						
DESCRIPTION	EXCAVATION			FILL		
	AREA (sq.ft)	DEPTH (ft)	VOL (CY)	AREA (sq.ft)	DEPTH (ft)	VOL (CY)
SITE STRIPPING/SOD	2,086,060	0.33	25,754	0	0.33	0
CONCRETE SIDEWALK	0	0.54	0	13,845	0.54	(278)
ADA RAMP	0	0.50	0	650	0.71	(17)
CONCRETE PVMT (9")	0	0.75	0	78,781	0.75	(2,188)
CONCRETE PVMT (7")	0	0.42	0	121,453	0.58	(2,624)
ASPHALT PVMT	0	0.17	0	2,068	0.17	(13)
ASPHALT BASE	0	0.50	0	2,114	0.67	(52)
GRAVEL	0	0.67	0	0	0.67	0
SURFACE	-	-	76,900.00	-	-	110,000.00
TOTAL			102,654			104,828
BALANCE (NET FILL)			2,174			

City of Tomball, Texas
Special Assessment Revenue Bonds
(Hufmish Kohrville Public Improvement District)

EXHIBIT E

Estimated Sources and Uses of Funds ¹

Estimated Delivery Date: 3/1/2024 9/1/2025

SOURCES OF FUNDS	Improvement		Total
	Area #1-A	Area #1-B	
Bond Par	\$ 3,262,000.00	\$ 2,128,000.00	\$ 5,390,000.00
Total Sources of Funds	\$ 3,262,000.00	\$ 2,128,000.00	\$ 5,390,000.00
USES OF FUNDS	Improvement		Total
	Area #1-A	Area #1-B	
Project Fund	\$ 2,301,182.50	\$ 1,742,217.50	\$ 4,043,400.00
Capitalized Interest Fund ²	354,742.50	-	354,742.50
Debt Service Reserve Fund ³	277,495.00	185,542.50	463,037.50
Costs of Issuance Fund ⁴	195,720.00	127,680.00	323,400.00
Underwriter's Discount	65,240.00	42,560.00	107,800.00
Underwriter's Counsel Fee	32,620.00	30,000.00	62,620.00
Administrative Fund ⁵	35,000.00	-	35,000.00
Total Uses of Funds	\$ 3,262,000.00	\$ 2,128,000.00	\$ 5,390,000.00

Notes:

1. Preliminary and subject to change. Subject to approval by the Issuer
2. Assumes capitalized interest through September 2025 on A bond only.
3. Funded to 100% of maximum annual debt service.
4. Estimated at 6.0% of bond par. Actual costs may vary.
5. First year deposit collected at bond closing. B bond shares costs with A bond.

City of Tomball, Texas
Special Assessment Revenue Bonds
(Hufmish Kohnville Public Improvement District)

Improvement Area Development Assumptions ¹

Lot Type	Number of Units ²	Developed Unit Value ²	Estimated Appraised Unit Value ³	Appraisal Value ³	Estimated Buildout Unit Value ²	Total Improvement Area Value ²	"A" Bond Assessment	"A" Bond Value to Lien	"B" Bond Assessment	Total Assessment	Assessment Unit Value ²	Maximum Annual Installment ⁴	Max Annual Installment per Unit ⁴	Estimated Equivalent Tax Rate ²
Improvement Area #1														
SF	87	\$ 125,000	\$ 112,500	\$ 9,787,500	\$ 625,000	\$ 54,375,000	\$ 3,262,000	3.0 : 1	\$ 2,128,000	\$ 5,390,000	\$ 61,954	\$ 516,563	\$ 5,938	\$ 0.9500
Total / Avg	87		\$ 112,500	\$ 9,787,500	\$ 625,000	\$ 54,375,000	\$ 3,262,000	3.0 : 1	\$ 2,128,000	\$ 5,390,000	\$ 61,954	\$ 516,563	\$ 5,938	\$ 0.9500

Notes:

1. Preliminary and subject to change. Subject to approval by the Issuer.
2. Lot count, buildout values and equivalent tax rate per the Developer. Developed lot value assumes 1/5th of buildout values. Actual values may vary.
3. Assumes 90% of developed lot values. Actual appraised value may vary.
4. Represents maximum annual installment based on buildout value at the estimated equivalent tax rate.

City of Tomball, Texas
Special Assessment Revenue Bonds, Series 2024
(Hufmish Kohrville Public Improvement District)

Estimated Net Annual Installments - Improvement Area No. 1¹

Maturity	Maximum Annual Installment ²	Principal	Interest Rate ³	Interest	Debt Service	Capitalized Interest ⁴	Debt Service Reserve Fund ⁵	Net Debt Service ⁶	Additional Interest ⁷	PID Admin Fee ⁸	Net IA #1 Annual Requirements ⁹	Remaining Installment Revenues ¹⁰
9/1/2024	\$ -	\$ -	7.250%	\$ 118,248	\$ 118,248	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9/1/2025	516,563	-	7.250%	236,495	236,495	236,495	-	-	16,310	35,700	52,010	464,553
9/1/2026	516,563	41,000	7.250%	236,495	277,495	-	-	277,495	16,310	36,414	330,219	186,344
9/1/2027	516,563	43,000	7.250%	233,523	276,523	-	-	276,523	16,105	37,142	329,770	186,793
9/1/2028	516,563	46,000	7.250%	230,405	276,405	-	-	276,405	15,890	37,885	330,180	186,382
9/1/2029	516,563	48,000	7.250%	227,070	275,070	-	-	275,070	15,660	38,643	329,373	187,190
9/1/2030	516,563	51,000	7.250%	223,590	274,590	-	-	274,590	15,420	39,416	329,426	187,137
9/1/2031	516,563	54,000	7.250%	219,893	273,893	-	-	273,893	15,165	40,204	329,261	187,301
9/1/2032	516,563	58,000	7.250%	215,978	273,978	-	-	273,978	14,895	41,008	329,881	186,682
9/1/2033	516,563	62,000	7.250%	211,773	273,773	-	-	273,773	14,605	41,828	330,206	186,357
9/1/2034	516,563	65,000	7.250%	207,278	272,278	-	-	272,278	14,295	42,665	329,237	187,325
9/1/2035	516,563	70,000	7.250%	202,565	272,565	-	-	272,565	13,970	43,518	330,053	186,509
9/1/2036	516,563	74,000	7.250%	197,490	271,490	-	-	271,490	13,620	44,388	329,498	187,064
9/1/2037	516,563	79,000	7.250%	192,125	271,125	-	-	271,125	13,250	45,276	329,651	186,911
9/1/2038	516,563	84,000	7.250%	186,398	270,398	-	-	270,398	12,855	46,182	329,434	187,128
9/1/2039	516,563	90,000	7.250%	180,308	270,308	-	-	270,308	12,435	47,105	329,848	186,715
9/1/2040	516,563	96,000	7.250%	173,783	269,783	-	-	269,783	11,985	48,047	329,815	186,748
9/1/2041	516,563	102,000	7.250%	166,823	268,823	-	-	268,823	11,505	49,008	329,336	187,227
9/1/2042	516,563	109,000	7.250%	159,428	268,428	-	-	268,428	10,995	49,989	329,411	187,151
9/1/2043	516,563	117,000	7.250%	151,525	268,525	-	-	268,525	10,450	50,988	329,963	186,599
9/1/2044	516,563	125,000	7.250%	143,043	268,043	-	-	268,043	9,865	52,008	329,916	186,647
9/1/2045	516,563	133,000	7.250%	133,980	266,980	-	-	266,980	9,240	53,048	329,268	187,294
9/1/2046	516,563	143,000	7.250%	124,338	267,338	-	-	267,338	8,575	54,109	330,022	186,541
9/1/2047	516,563	153,000	7.250%	113,970	266,970	-	-	266,970	7,860	55,191	330,021	186,541
9/1/2048	516,563	163,000	7.250%	102,878	265,878	-	-	265,878	7,095	56,295	329,268	187,295
9/1/2049	516,563	175,000	7.250%	91,060	266,060	-	-	266,060	6,280	57,421	329,761	186,801
9/1/2050	516,563	187,000	7.250%	78,373	265,373	-	-	265,373	5,405	58,570	329,347	187,215
9/1/2051	516,563	201,000	7.250%	64,815	265,815	-	-	265,815	4,470	59,741	330,026	186,536
9/1/2052	516,563	215,000	7.250%	50,243	265,243	-	-	265,243	3,465	60,936	329,643	186,919
9/1/2053	516,563	231,000	7.250%	34,655	265,655	-	-	265,655	2,390	62,155	330,200	186,363
9/1/2054	516,563	247,000	7.250%	17,908	264,908	-	277,495	(12,588)	1,235	63,398	329,540	187,022
	\$ 15,496,875	\$ 3,262,000		\$ 4,926,448	\$ 8,188,448	\$ 354,743	\$ 277,495	\$ 7,556,210	\$ 331,600	\$ 1,448,280	\$ 9,613,585	\$ 5,883,290

Notes:

1. Preliminary and subject to change. Subject to approval by the issuer.
2. Based on buildout value and maximum equivalent tax rate at closing date.
3. Rates are for discussion and illustration purposes only and are preliminary and subject to change.
4. Assumes capitalized interest through September 2025.
5. Sized to 100% of maximum annual debt service.
6. Net of capitalized interest and debt service reserve fund release at maturity.
7. Assumes 0.50% of outstanding bond par. Sized as a continuous fund for conservative modelling purposes.
8. Assumes 2.0% annual escalation factor.
9. Net of capitalized interest but excludes release of debt service reserve fund at maturity.
10. For modeling purposes only.

City of Tomball, Texas
Special Assessment Revenue Bonds, Series 2025
(Hufmish Kohrville Public Improvement District)

Estimated Net Annual Installments - Improvement Area No. 1-B¹

Maturity	Maximum Annual Installment ²	Less: IA #1-A Installments	Principal	Interest Rate ³	Interest	Debt Service	Capitalized Interest ⁴	Debt Service Reserve Fund ⁵	Net Debt Service ⁶	Additional Interest ⁷	PID Admin Fee ⁸	Net IA #1-B Annual Requirements ⁹	Remaining Installment Revenues ¹⁰
9/1/2024													
9/1/2025	\$ 516,563	\$ 330,219	\$ 21,000	7.250%	\$ 154,280	\$ 175,280	\$ -	\$ -	\$ 175,280	\$ 10,640	\$ -	\$ 185,920	\$ 424
9/1/2026	\$ 516,563	329,770	23,000	7.250%	152,758	175,758	-	-	175,758	10,535	-	186,293	500
9/1/2027	\$ 516,563	330,180	24,000	7.250%	151,090	175,090	-	-	175,090	10,420	-	185,510	872
9/1/2028	\$ 516,563	329,373	27,000	7.250%	149,350	176,350	-	-	176,350	10,300	-	186,650	540
9/1/2029	\$ 516,563	329,426	29,000	7.250%	147,393	176,393	-	-	176,393	10,165	-	186,558	579
9/1/2030	\$ 516,563	329,261	31,000	7.250%	145,290	176,290	-	-	176,290	10,020	-	186,310	991
9/1/2031	\$ 516,563	329,881	33,000	7.250%	143,043	176,043	-	-	176,043	9,865	-	185,908	774
9/1/2032	\$ 516,563	330,206	36,000	7.250%	140,650	176,650	-	-	176,650	9,700	-	186,350	7
9/1/2033	\$ 516,563	329,237	39,000	7.250%	138,040	177,040	-	-	177,040	9,520	-	186,560	765
9/1/2034	\$ 516,563	330,053	41,000	7.250%	135,213	176,213	-	-	176,213	9,325	-	185,538	972
9/1/2035	\$ 516,563	329,498	45,000	7.250%	132,240	177,240	-	-	177,240	9,120	-	186,360	704
9/1/2036	\$ 516,563	329,651	49,000	7.250%	128,978	177,978	-	-	177,978	8,895	-	186,873	39
9/1/2037	\$ 516,563	329,434	53,000	7.250%	125,425	178,425	-	-	178,425	8,650	-	187,075	53
9/1/2038	\$ 516,563	329,848	56,000	7.250%	121,583	177,583	-	-	177,583	8,385	-	185,968	747
9/1/2039	\$ 516,563	329,815	61,000	7.250%	117,523	178,523	-	-	178,523	8,105	-	186,628	120
9/1/2040	\$ 516,563	329,336	66,000	7.250%	113,100	179,100	-	-	179,100	7,800	-	186,900	327
9/1/2041	\$ 516,563	329,411	71,000	7.250%	108,315	179,315	-	-	179,315	7,470	-	186,785	366
9/1/2042	\$ 516,563	329,963	76,000	7.250%	103,168	179,168	-	-	179,168	7,115	-	186,283	317
9/1/2043	\$ 516,563	329,916	82,000	7.250%	97,658	179,658	-	-	179,658	6,735	-	186,393	254
9/1/2044	\$ 516,563	329,268	89,000	7.250%	91,713	180,713	-	-	180,713	6,325	-	187,038	257
9/1/2045	\$ 516,563	330,021	95,000	7.250%	85,260	180,260	-	-	180,260	5,880	-	186,140	401
9/1/2046	\$ 516,563	329,761	102,000	7.250%	78,373	180,373	-	-	180,373	5,405	-	185,778	764
9/1/2047	\$ 516,563	329,268	111,000	7.250%	70,978	181,978	-	-	181,978	4,895	-	186,873	422
9/1/2048	\$ 516,563	329,347	119,000	7.250%	62,930	181,930	-	-	181,930	4,340	-	186,270	531
9/1/2049	\$ 516,563	330,026	129,000	7.250%	54,303	183,303	-	-	183,303	3,745	-	187,048	168
9/1/2050	\$ 516,563	329,643	138,000	7.250%	44,950	182,950	-	-	182,950	3,100	-	186,050	486
9/1/2051	\$ 516,563	329,200	149,000	7.250%	34,945	183,945	-	-	183,945	2,410	-	186,355	564
9/1/2052	\$ 516,563	329,540	160,000	7.250%	24,143	184,143	-	-	184,143	1,665	-	185,808	555
9/1/2053	\$ 516,563	329,540	173,000	7.250%	12,543	185,543	-	-	185,543	865	-	186,408	615
9/1/2054	\$ 516,563	329,540	173,000	7.250%	12,543	185,543	-	-	185,543	865	-	186,408	615
	\$ 14,980,313	\$ 9,561,575	\$ 2,128,000		\$ 3,065,228	\$ 5,193,228	\$ -	\$ -	\$ 5,007,685	\$ 211,395	\$ -	\$ 5,404,623	\$ 14,115

Notes:

1. Preliminary and subject to change. Subject to approval by the issuer.
2. Based on buildout value and maximum equivalent tax rate at closing date.
3. Rates are for discussion and illustration purposes only and are preliminary and subject to change.
4. Assumes no capitalized interest on B Bonds.
5. Sized to 100% of maximum annual debt service.
6. Net of debt service reserve fund release at maturity.
7. Assumes 0.50% of outstanding bond par. Sized as a continuous fund for conservative modelling purposes.
8. Assumes B Bond shares collection costs with A Bond.
9. Excludes release of debt service reserve fund at maturity.
10. For modeling purposes only.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: July 7, 2025

Topic:

Approval of Certain Policy Revisions to the City of Tomball's Employee Handbook.

Background:

Approve certain policy revisions to the City of Tomball Employee Handbook for implementation of 12-hour shifts for police department patrol personnel, projected to start July 14, 2025.

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Kristie Lewis, Esq., HR Director

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date



Summary of Proposed Policy Changes for PD's 12-hour Shifts

Background

Police Chief Jeff Bert has sought approval from the Administration to transition Patrol staff to 12-hour shifts to ensure that personnel can provide better coverage across shifts, minimize overtime and enhance hiring/recruitment efforts.

Fair Labor Standards Act (FLSA)

Generally, the FLSA requires that covered non-exempt employees be paid overtime pay at no less than time and one-half their regular rates of pay for all hours worked in excess of 40 in a workweek. However, Section 207(K) of the FLSA provides an exemption that allows for employees engaged in fire protection or law enforcement to be paid overtime on a "work period" basis.

This means that police personnel that will be working the proposed 12-hour shifts will be paid overtime in **excess of 80 hours in a two (2) week "work period"**.

City Policy Modifications

Based on the foregoing, the 12-hour shift proposal will require changes to existing city policies as detailed below (highlighted and bolded).

4.01 CATEGORIES OF EMPLOYMENT

EXISTING POLICY:

D. FULL-TIME EMPLOYEE

A full-time employee is defined as an employee who works a minimum of 40 hours a week or 2,080 hours annually in a full-time position; or an average of 53 hours a week or 3,014 annually in a full-time shift Firefighter position. Such employees are eligible for all City benefits. Full-time employees are further classified in one of the following categories:

1. **Exempt:** Certain employees, due to their position title and responsibilities, are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees primarily include those individuals occupying a bona fide executive, administrative, and/or professional position under the FLSA. All positions are evaluated to ensure accurate

classifications and may be re-evaluated as necessary to ensure the position is classified appropriately.

2. **Non-Exempt:** An employee covered by overtime provisions of the FLSA. Non-exempt employees include hourly employees (where pay is directly related to the number of hours worked) and some non-exempt salaried workers (clerical, first-line supervisory, and paraprofessional job categories). Non-exempt employees may receive overtime pay or be offered compensatory time at the rate of time and one-half in lieu of overtime pay. Time and one-half is used in calculating overtime and compensatory time in situations where the actual hours worked exceed standard work week hours.
3. **Shift Firefighter:** An employee who is trained in fire suppression, has the responsibility to fight fires, and is either actually engaged in fire suppression work and/or non-fire related emergency responses, and who works 48 hours on, with 96 hours off.

CHANGE TO:

D. FULL-TIME EMPLOYEE

A full-time employee is defined as an employee who works a minimum of 40 hours a week or 2,080 hours annually in a full-time position; or an average of 53 hours a week or 3,014 annually in a full-time shift Firefighter position. Such employees are eligible for all City benefits. Full-time employees are further classified in one of the following categories:

1. **Exempt:** Certain employees, due to their position title and responsibilities, are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees primarily include those individuals occupying a bona fide executive, administrative, and/or professional position under the FLSA. All positions are evaluated to ensure accurate classifications and may be re-evaluated as necessary to ensure the position is classified appropriately.
2. **Non-Exempt:** An employee covered by overtime provisions of the FLSA. Non-exempt employees include hourly employees (where pay is directly related to the number of hours worked) and some non-exempt salaried workers (clerical, first-line supervisory, and paraprofessional job categories). Non-exempt employees may receive overtime pay or be offered compensatory time at the rate of time and one-half in lieu of overtime pay. Time and one-half is used in calculating overtime and compensatory time in situations where the actual hours worked exceed standard work week hours.
3. **Shift Firefighter:** An employee who is trained in fire suppression, has the responsibility to fight fires, and is either actually engaged in fire suppression work and/or non-fire related emergency responses, and who works 48 hours on, with 96 hours off.
4. **NEW: Shift Police Officer:** An employee who is empowered by State or local ordinance to enforce laws designed to maintain peace and order, protect life and property, and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement and who predominantly work 12-hour shifts.

4.02 WORK SCHEDULES

EXISTING POLICY

A. WORK SCHEDULES FOR SHIFT FIREFIGHTERS

Under the 207K exemption of the FLSA, City of Tomball shift firefighters observe a 14-day work cycle for the purposes of calculating overtime. For shift firefighters, the work cycle begins at 7:00 a.m. on Monday and concludes at 6:59 a.m. 14 days later. Fire Department personnel on a 48-hour shift are regularly scheduled to work an average of 53 hours per week, based on 48-hour shifts with 96 hours off between shifts. Days off and shifts may change to meet the business needs of the city. For Shift Fire Personnel, the workday of 24-hour employees is considered to be 12 hours of leave for accrual/usage purposes.

CHANGE TO:

A. **NEW: WORK SCHEDULES FOR SHIFT FIREFIGHTERS AND POLICE OFFICERS**

Under the 207K exemption of the FLSA, City of Tomball shift firefighters observe a 14-day work cycle for the purposes of calculating overtime. For shift firefighters, the work cycle begins at 7:00 a.m. on Monday and concludes at 6:59 a.m. 14 days later. Fire Department personnel on a 48-hour shift are regularly scheduled to work an average of 53 hours per week, based on 48-hour shifts with 96 hours off between shifts. Days off and shifts may change to meet the business needs of the city. For Shift Fire Personnel, the workday of 24-hour employees is considered to be 12 hours of leave for accrual/usage purposes.

NEW: Pursuant to the 207K exemption of the FLSA, City of Tomball police officers observe a 14-day work cycle for the purposes of calculating overtime. The work cycle begins at 6:00 a.m. on Monday and concludes at 6:00 a.m. 14 days later. Police Department sworn personnel are regularly scheduled to work 12-hour rotating shifts. Days off and shifts may change based on operational assessment.

EXISTING POLICY:

F. WAIVER PROHIBITED

The requirement that overtime must be paid after 40 hours a week or 106 hours in a 14-day cycle for shift fire personnel may not be waived by agreement between any employee and the City.

CHANGE TO:

F. WAIVER PROHIBITED

The requirement that overtime must be paid after 40 hours a week, 106 hours in a 14-day cycle for shift fire personnel or **NEW: 80 hours in a 14-day cycle for sworn police personnel** may not be waived by agreement between any employee and the City.

4.04 OVERTIME PAY PROCEDURES

EXISTING POLICY:

A. DEFINITIONS

Overtime is defined as hours worked, by non-exempt employees during any FLSA defined workweek, which exceed 40 hours specified for such workweek or exceeds 106 hours in a 14-day cycle for non-exempt shift firefighters.

For the purpose of determining overtime, “hours worked” shall include hours recorded during which the employee is performing duties or functions of their job or authorized and adopted City holidays (including Floating Holidays).

Overtime will not be paid or compensatory time will not be accrued until the allowable number of hours has been surpassed for a given workweek regardless of the daily schedule of an eligible employee. All non-exempt employees who are directed to work after completing work beyond the normal 40-hour schedule or 106-hour schedule (shift-firefighters) will begin to accrue overtime hours to be compensated in one of two manners:

1. **Compensatory time:** accrued at an additional one- and one-half times (1.5 times) the overtime hours worked; or
2. **Overtime Pay:** paid at one and a half times (1.5 times) the employee’s hourly rate.

CHANGE TO:

A. DEFINITIONS

NEW: Based on existing departments’ work schedules, overtime is defined as hours worked, by non-exempt employees during any FLSA-defined workweek, as follows:

- **Hours worked in excess of 40 hours specified for a 40-hour work week.**
- **Hours worked in excess of 106 hours in a 14-day work cycle for non-exempt shift firefighters.**
- **Hours worked in excess of 80 hours in a 14-day work cycle for non-exempt sworn police personnel.**

For the purpose of determining overtime, “hours worked” shall include hours recorded during which the employee is performing duties or functions of their job or authorized and adopted City holidays (including Floating Holidays).

Overtime will not be paid or compensatory time will not be accrued until the allowable number of hours has been surpassed for a given workweek regardless of the daily schedule of an eligible employee. **NEW: All non-exempt employees who are directed to work after completing work beyond the normal 40-hour schedule, 106-hour schedule (shift-firefighters), and 80-hour schedule (sworn police) will begin to accrue overtime hours to be compensated in one of two manners:**

1. **Compensatory time:** accrued at an additional one- and one-half times (1.5 times) the overtime hours worked; or
2. **Overtime Pay:** paid at one and a half times (1.5 times) the employee's hourly rate.

EXISTING POLICY

C. OVERTIME AND LEAVE

If an employee works in excess of 40 hours during a regular workweek or 106 hours in a 14-day cycle for shift firefighters, the employee will be paid overtime pay or will be provided compensatory time.

1. OVERTIME AND VACATION TIME

If an employee exceeds 40 hours during a regular workweek or 106 hours in a 14-day cycle for shift firefighters and has recorded hours for Vacation, the employee can choose between having the excess hours returned to the employee's Vacation leave bank (also called "time flexing") or being paid at their regular rate of pay for those hours.

CHANGE TO:

C. OVERTIME AND LEAVE

If an employee works in excess of 40 hours during a regular workweek, 106 hours in a 14-day cycle for shift firefighters or **NEW: 80 hours in a 14-day cycle for sworn police officers**, the employee will be paid overtime pay or will be provided compensatory time.

1. OVERTIME AND VACATION TIME

If an employee exceeds 40 hours during a regular workweek, 106 hours in a 14-day cycle for shift firefighters or **NEW: 80 hours in a 14-day cycle for sworn police officers** and has recorded hours for Vacation, the employee can choose between having the excess hours returned to the employee's Vacation leave bank (also called "time flexing") or being paid at their regular rate of pay for those hours.

4.09 PROBATIONARY PERIOD

EXISTING POLICY:

D. POSITION CHANGES (INTERNAL MOVES)

Probationary periods will apply to all full-time employees that have a change in jobs (through reclassification, promotion, demotion, or reorganization) and are subject to a 6-month probationary period.

At the end of 6 months in the new position, the incumbent will receive a 6-month review to be documented as an update of record for the employee's personnel file and in the performance evaluation system. The 6-month review is not subject to an increase in pay but is to determine if an employee can continue in the position. If the employee is not performing satisfactorily, they are subject to disciplinary action.

An employee who changes positions (through reclassification, reorganization, demotion, or promotion) may not transfer or change jobs within the first 6 months of the action without the consent of their Director.

CHANGE TO:

D. POSITION CHANGES (INTERNAL MOVES)

Probationary periods will apply to all full-time employees that have a change in jobs (through reclassification, promotion, demotion, or reorganization) and are subject to a 6-month probationary period. **NEW: Any position change that results in an adjustment of wages will become effective the Monday of the first full pay period following the position change.**

At the end of 6 months in the new position, the incumbent will receive a 6-month review to be documented as an update of record for the employee's personnel file and in the performance evaluation system. The 6-month review is not subject to an increase in pay but is to determine if an employee can continue in the position. If the employee is not performing satisfactorily, they are subject to disciplinary action.

An employee who changes positions (through reclassification, reorganization, demotion, or promotion) may not transfer or change jobs within the first 6 months of the action without the consent of their Director.

7.06 HOLIDAY LEAVE

EXISTING POLICY:

B. SHIFT FIREFIGHTERS

This section applies to all non-exempt full-time shift Firefighters. The City of Tomball shall maintain compliance with all provisions of the Fair Labor Standards Act as applied to the allocation and use of holidays in the Fire Department.

All full-time shift Firefighters will be paid for 12 hours at the employee's regular rate of pay for every City holiday, whether or not the Firefighter works on the holiday. All full-time shift Firefighters who work a shift that begins on a City holiday will be paid a rate of one and one-half times their regular hourly rate.

The City has designated the floating holiday as the September 11th Memorial holiday for firefighters only if the firefighter chooses to use the floating holiday for that purpose on this day, and its use does not unduly disrupt the department's operation. For all other employees, the floating holiday is unchanged.

While firefighters have the same number of holidays as all other City employees, in accordance with H.B. 2113, the Texas legislature has amended Section 142.0013 (c) of the Local Government Code mandating that one of the City's holidays be designated as September 11th Memorial Holiday for all firefighters. All City employees have the same number of holidays on the same days; however, this amendment mandates that the City refers to one of those holidays by a different name for a particular category of employees.

C. POLICE PERSONNEL

All full-time police personnel who work a shift that begins on a City holiday will be paid a rate of one and one-half times their regular hourly rate for that day of work.

CHANGE TO:

B. SHIFT FIREFIGHTERS

This section applies to all non-exempt full-time shift Firefighters. The City of Tomball shall maintain compliance with all provisions of the Fair Labor Standards Act as applied to the allocation and use of holidays in the Fire Department.

All full-time shift Firefighters will be paid for 12 hours at the employee's regular rate of pay for every City holiday, whether or not the Firefighter works on the holiday. **NEW: A firefighter that works any shift that begins on a City holiday, that shift (not day) will be paid at a rate of one and one-half times their regular hourly rate.**

The City has designated the floating holiday as the September 11th Memorial holiday for firefighters only if the firefighter chooses to use the floating holiday for that purpose on this day, and its use does not unduly disrupt the department's operation. For all other employees, the floating holiday is unchanged.

While firefighters have the same number of holidays as all other City employees, in accordance with H.B. 2113, the Texas legislature has amended Section 142.0013 (c) of the Local Government Code mandating that one of the City's holidays be designated as September 11th Memorial Holiday for all firefighters. All City employees have the same number of holidays on the same days; however, this amendment mandates that the City refers to one of those holidays by a different name for a particular category of employees.

C. POLICE PERSONNEL

NEW: All full-time police personnel, including sworn 12-hour shift personnel, who works any shift that begins on a City holiday, that shift (not day) will be paid at a rate of one and one-half times their regular hourly rate.

City Council Meeting Agenda Item Data Sheet

Meeting Date: July 7, 2025

Topic:

Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session
- Sec. 551.072 – Deliberations regarding Real Property

Background:

Origination: David Esquivel, City Manager

Recommendation:

Party(ies) responsible for placing this item on agenda: David Esquivel, City Manager

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____

If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: Shannon Bennett 7/02/25

Staff Member

Date

Approved by: _____

City Manager

Date