

**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR
MEETING
CITY OF TOMBALL, TEXAS**



**Monday, August 12, 2024
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, August 12, 2024 at 6:00 PM, 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 Planning & Zoning Commission 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.

- A. Call to Order
- 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.]*
- C. Reports and Announcements
- D. Approval of Minutes
 - [D.1](#) Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 10, 2024.
- E. New Business Non-Action Item
 - [E.1](#) Minor Plat of **Daniels Acres**: A subdivision of 0.4403 acre (19,181 Square Feet) tract of land situated in the Joseph Miller Survey, Abstract Number 50, of Harris County, Texas. (Tomball ETJ).
 - [E.2](#) Minor Plat of **Houston Deco Balloons**: Being a subdivision of 0.8694 acre of land and being a partial replat of Outlot 286 of Tomball Townsite, a subdivision per plat recorded under Volume 2, Page 65 of the Harris County Map Records situated in the Jesse Pruitt Survey, Abstract 629, City of Tomball, Harris County, Texas.

- [E.3](#) Minor Plat of **South Cherry Street Complex**: Being a subdivision of 0.6504 acres situated in the James Pruitt Survey, Abstract No. 629, Harris County, Texas.
- [E.4](#) Minor Plat of **Cemex Tomball**: A subdivision of 8.6233 acres, (375,630 Square Feet.), of land situated in the John S. Smith Survey, Abstract 730, City of Tomball, as tract is within city limits, Harris County, Texas; being the remainder of a called 9.233 acre tract conveyed to TXI Operations by General Warranty Deed recorded under Clerk’s File No. T015795 of the Harris County Official Public Records of Real Property; said 8.6232 acres being more particularly described as follows with all bears based on a call of south 00 Degrees 40 minutes 00 seconds east, along the west right-of way line of Hufsmith-Kohrville Road (FM 2978) as described in Deed Recorded in Clerk’s File No. N473534 of the Harris County Public Records of Real Property.
- [E.5](#) Minor Plat of **Tomball Medical Complex Two**: A subdivision of 2.7321 Acres, (119,009.40 Square Feet), situated in the William Hurd Survey, Abstract No. 378, City of Tomball, Harris County, Texas.
- [E.6](#) Minor Plat of **Tomball Regional Health Foundation**: Being a subdivision of 5.5516 Acres of Land situated in the William Hurd Survey, Abstract 378, City of Tomball, Harris County, Texas.

F. New Business

- [E.1](#) Conduct a public hearing and consideration to approve **Zoning Case Z24-10**: Request by TYKHE LLC, represented by JLS Real Estate, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 6.500 acres of land legally described as portions of Lot 187 & Tracts 188, 191A, and 192A of Tomball Outlots within the Jesse Pruitt Survey, Abstract 629 from Commercial (C) to Light Industrial (LI). The property is located at 1730 South Cherry Street, within the City of Tomball, Harris County, Texas.

G. 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 9th day of August 2024 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kimberly Chandler
Community Development Coordinator

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) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Planning & Zoning Commission Meeting Agenda Item Data Sheet

Meeting Date: August 12, 2024

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 10, 2024.

Background:

Origination: Community Development

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Kim Chandler, Community Development Coordinator

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

**MINUTES OF
REGULAR PLANNING & ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, JUNE 10, 2024



6:00 P.M.

- A. The meeting was Called to Order by Chairman Tague at 6:02 p.m. Other Members present were:
 Commissioner Tana Ross
 Commissioner Scott Moore
 Commissioner Susan Harris
 Commissioner Richard Anderson

Others present:

- Craig Meyers – Community Development Director
- Benjamin Lashley – Assistant City Planner
- Kim Chandler – Community Development Coordinator
- Tommy Ramsey – City Attorney
- Jeffrey Salgado – Graduate Engineer

draft

- B. No Public Comments were received.

- C. Reports and Announcements:

Craig Meyers, Community Development Director announced the following:

- City Council Approved, **Zoning Case Z24-07**: Request by Theis Lane and South Cherry Street LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.905 acres of land legally described as Reserve “A”, Block 3 of Pine Meadows from Single Family Residential – 6 (SF-6) to Neighborhood Retail (NR). The property is located at 12703 Theis Lane, at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.

- D. Approval of Minutes:

Motion was made by Commissioner Harris, second by Commissioner Moore, to approve the Minutes of the Special Joint City Council & Planning and Zoning Commission Meeting of May 6, 2024.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

Motion was made by Commissioner Ross, second by Commissioner Harris, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 13, 2024.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

Motion was made by Commissioner Moore, second by Commissioner Anderson, to approve the Minutes of the Special Joint City Council & Planning and Zoning Commission Meeting of May 20, 2024.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

E. New Business Non-Action Items:

- E.1 Minor Plat of **Holderrieth Office**: Being a 1.6986 acre tract of land situated in the Joseph House Survey, A-34, Harris County, Texas, being a replat of Lot 1 in Block 1 of Northwest Houston Heart Center, a subdivision as recorded in Film Code Number 621269, of the Map Records of Harris County, Texas, together with a replat of Lots 1, 2, 11 and 12 in Block 6 of Main Street Addition to the City of Tomball, a subdivision as recorded in Volume 15, page 43 of said Map Records and two called 0.046 acre tracts as described in deeds recorded in Clerk’s File Numbers RP-2024-91358 and RP-2024-91359 of the Real Property Records of Harris County, Texas.
- E.2 Minor Plat of **Charlies Business Park**: A subdivision of 11.9861 acres of land out of the J.S. Smith Survey, Abstract No. 730, Harris County, Texas.
- E.3 Minor Plat of **TCG Capital Two**: Being a 5.9854 acre (260,724.59 Sq. Ft.) tract of land situated in the Jesse Pruitt Survey, A-629, Harris County, Texas, being a replat of TCG Capital as recorded in Film Code Number 692638, of the Map Records of Harris County, Texas, together with a replat of a portion of Lot 1, Block 1 of Swinghammer/Hauck Subdivision as recorded in Film Code Number 678215, of said Map Records.

Benjamin Lashley, Assistant City Planner, presented with Staff Approval.

F. New Business:

- F.1 Consideration to approve Final Plat of **Wood Leaf Reserve Sec 3**: A subdivision of 40.65 Acres of land out of the Claude N. Pillot Survey, A-632 City of Tomball, Harris County, Texas.

Benjamin Lashley, Assistant City Planner, presented with conditions.

Motion was made by Commissioner Ross, second by Commissioner Harris, to approve Final Plat of **Wood Leaf Reserve Sec 3** with conditions.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

- F.2 Conduct a public hearing and consideration to approve **Zoning Case Z24-08**: Request by CHTA Development, Inc. to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by amending Planned Development District – 15 which governs 33.386 acres of land legally described as being Winfrey Estates to reduce the required building setback in the rear yard from 14-feet to 9-feet. The property is generally located on the west side of FM 2978 at Winfrey Lane, within the City of Tomball, Harris County, Texas.

Craig Meyers, Community Development Director, presented the case and staff recommendation of approval.

Roland Ramirez, representing CHTA Development, Inc., (1169 Brittmoore Road, Houston, TX 77043), spoke on behalf of the request.

The Public Hearing was opened by Chairman Tague at 6:20 p.m.

Century Hydraulics, LLC., (23706 Snook Lane, Tomball, TX 77375), mailed a public response in opposition to the request.

Barbara Seber, (23923 Hufsmith Kohrville Road, Tomball, TX 77375), emailed a public response in opposition to the request.

Hearing no additional comments, the Public Hearing was closed at 6:21 p.m.

Motion was made by Commissioner Harris, second by Commissioner Anderson, to approve **Zoning Case Z24-08**.

Motion was amended by Commissioner Harris, second by Commissioner Anderson, to approve **Zoning Case Z24-08** with the following condition(s):

- All perimeter lots shall have a minimum rear setback of 14 feet.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chairman Tague	<u>Nay</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Nay</u>

Motion Carried (3 Votes Aye, 2 Votes Nay).

F.3 Conduct a public hearing and consideration to approve **Zoning Case Z24-09**: Request by Tomball Hospital Authority D/B/A Tomball Regional Health Foundation, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 5.552 acres of land legally described Tracts 12B & 12C of the William Hurd Survey, Abstract 378 from Agricultural (AG) to General Retail (GR). The property is generally located within the 1300 block (north side) of Medical Complex Drive, within the City of Tomball, Harris County, Texas.

Craig Meyers, Community Development Director, presented the case and staff recommendation of approval.

Jeffrey Klein, representing Tomball Regional Health Foundation, (29201 Quinn Road, Suite A, Tomball, TX 77375), spoke on behalf of the request.

The Public Hearing was opened by Chairman Tague at 7:10 p.m.

Texas Professional Building, LP., (13406 Medical Complex Drive, Tomball, TX 77375), mailed a public response in favor to the request.

Hearing no additional comments, the Public Hearing was closed at 7:10 p.m.

Motion was made by Commissioner Moore, second by Commissioner Ross, to approve **Zoning Case Z24-09**.

Motion was amended by Commissioner Moore, second by Commissioner Ross, to approve **Zoning Case Z24-09** with a rezoning to the Office District.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chairman Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion Carried (Unanimously).

F.4 Conduct a public hearing and consideration to approve **Ordinance Amendment OAM24-01**: Request by the City of Tomball to amend Chapter 50 – Article III (*District Regulations*) by adding Section 50-70.1 – Single-Family Residential District (SF-7.5) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off street parking and loading requirements*) adding parking regulations within the Single-Family Residential – 7.5 District.

Craig Meyers, Community Development Director, presented the case and staff recommendation of approval.

The Public Hearing was opened by Chairman Tague at 7:22 p.m.

Hearing no comments, the Public Hearing was closed at 7:23 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve **Ordinance Amendment OAM24-01**.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chairman Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion Carried (Unanimously).

F.5 Conduct a public hearing and consideration to approve **Ordinance Amendment OAM24-02**: Request by the City of Tomball to amend Section(s) 50-2 (*Definitions*) and Section 50-82 (*Use regulations (charts)*) of the Tomball Code of Ordinances by adding standards pertaining to “Boarding Home Facility”.

Craig Meyers, Community Development Director, presented the case and staff recommendation of approval.

The Public Hearing was opened by Chairman Tague at 7:36 p.m.

Hearing no comments, the Public Hearing was closed at 7:37 p.m.

Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve **Ordinance Amendment OAM24-02**.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chairman Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>
Commissioner Harris	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion Carried (Unanimously).

G. Adjournment

Motion was made by Commissioner Anderson second by Commissioner Harris, to adjourn.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

The meeting adjourned at 7:38 p.m.

PASSED AND APPROVED this _____ day of 2024.

Kim Chandler
Community Development Coordinator/
Commission Chair Commission Secretary

Barbara Tague
Commission Chairman

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: August 12, 2024

Topic:

Minor Plat of **Daniels Acres:** A subdivision of 0.4403 acre (19,181 Square Feet) tract of land situated in the Joseph Miller Survey, Abstract Number 50, of Harris County, Texas. (Tomball ETJ).

Background:

Origination:

Recommendation:

Staff approved with no conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

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 OF TOMBALL

Plat Name: Daniels Acres

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

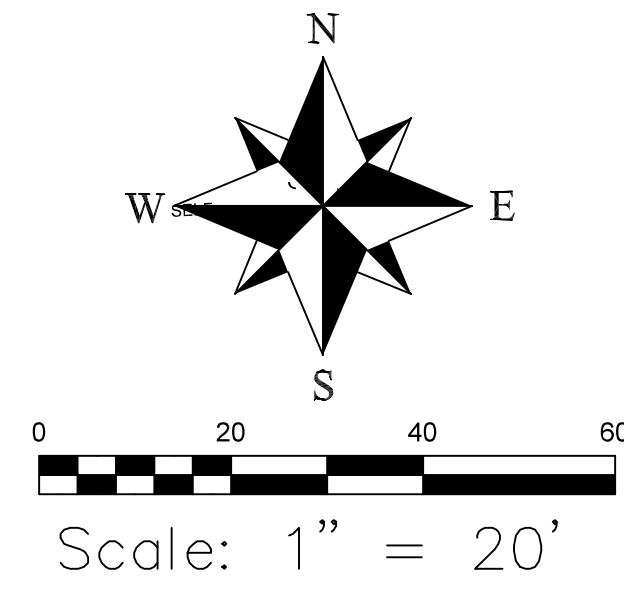
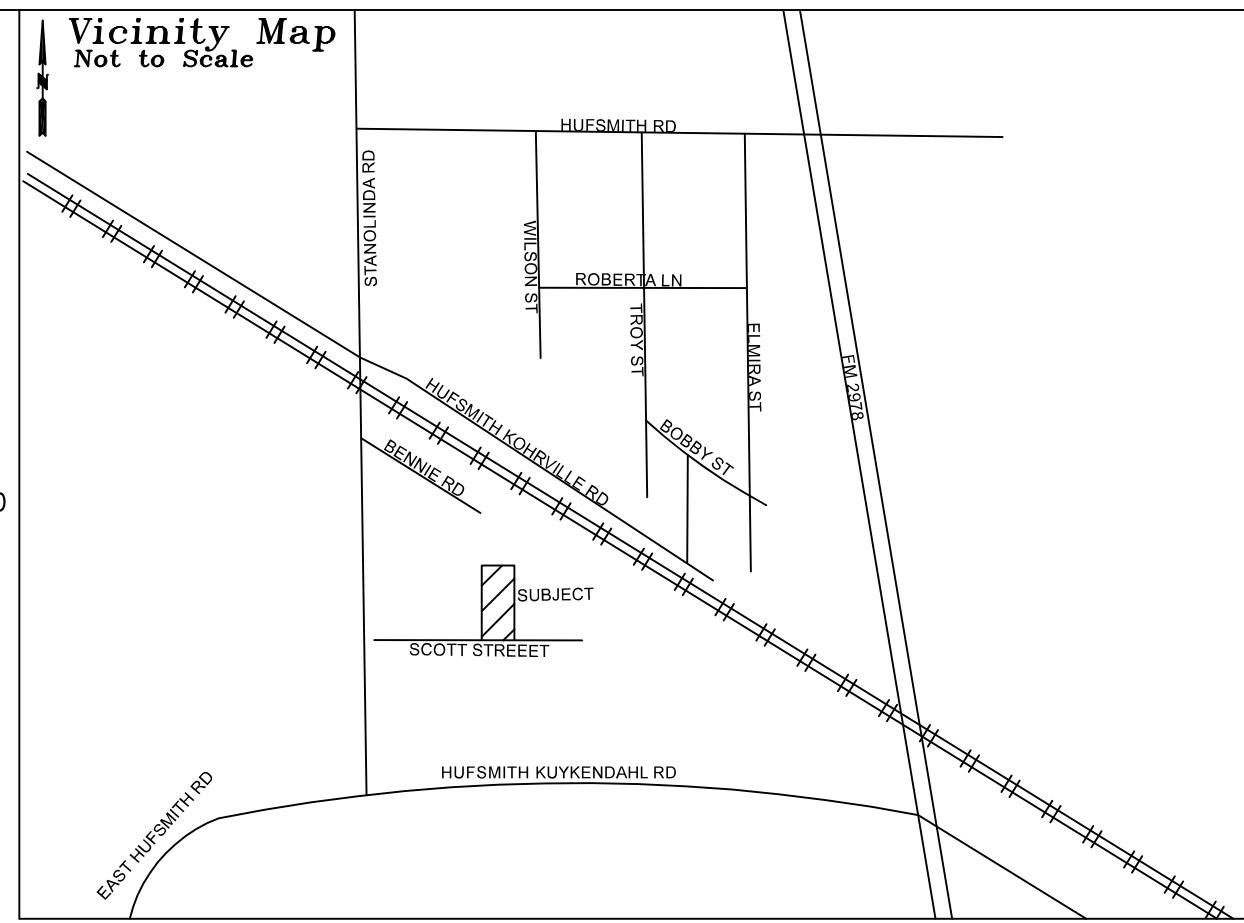
Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: August 12, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development approves this Plat with no conditions.



WATER PROPERTIES, LLC
CALLED 5.578 ACRES
CF NO. RP-2019-438774
R.P.R.H.C.T.

MACARIO C. VILLEDA
BLANCA A. VILLEDA
CALLED 2.07 ACRES
CF NO. RP-2018-113591
R.P.R.H.C.T.

HARRIS COUNTY TRACT

CITY OF TOMBALL
FIRE STATION

STANOLIND ROAD
WIDTH VARIES VOLUNTARILY FROM 30' TO 40' (C.M.A.R.)

SCOTT STREET
20' (0.098 ACRE) ACCESS EASEMENT (CF NO. RP-2024-129256, R.P.R.H.C.T.)

HUFSMITH-KUYKENDAHL ROAD
WIDTH VARIES

CALLED
0.435 ACRE
CF No. RP-2017-366166
R.P.R.H.C.T.

CALLED
1.97 ACRE
CF No. 20100545397
R.P.R.H.C.T.

CALLED
0.209 ACRE
CF No. RP-2016-18115
R.P.R.H.C.T.

CALLED
0.1938 ACRE
CF No. RP-2016-18115
R.P.R.H.C.T.

CALLED
0.2062 ACRE
CF No. RP-2020-50937
R.P.R.H.C.T.

CALLED
8.15 ACRES
CF No. RP-2016-185607
R.P.R.H.C.T.

CALLED 0.3829 ACRE
PILGRIM HILL
BAPTIST CHURCH
(NO DEED OF RECORD FOUND)

CALLED
8.15 ACRES
CF No. RP-2016-185607
R.P.R.H.C.T.

X: 3044693.7088
Y: 13971371.5872
Found Iron Rod
w/Survey Cap

X: 3044781.5270
Y: 13971371.2462
Found Iron Rod
w/Survey Cap

X: 3044705.5581
Y: 13971154.7279
POINT OF
BEGINNING
Found Iron Rod
w/Survey Cap
Found Flat Bar
S 58°26' W 4.30'

X: 3044793.4626
Y: 13971158.8011
Found 5/8" Iron Rod

N 86°18'53" E 88.00'

N 03°07'39" W 217.19'

S 03°07'39" E 218.77'

BLOCK 1
UNRESTRICTED RESERVE "A"
0.4403 ACRE
19,181 SQUARE FEET

S 87°20'49" W 88.00'

1. Basis of Bearings: Texas State Plane Coordinates, South Central 4204, (NAD83), GEOID 03
2. M.R.H.C.T. indicates Map Records of Harris County, Texas.
3. D.R.H.C.T. indicates Deed Records of Harris County, Texas.
4. R.P.R.H.C.T. indicates Real Property Records of Harris County, Texas.
5. FC NO. indicates Film Code Number.
6. CF NO. indicates Clerk's File Number.
7. O.P.R.O.P. indicates Official Property Records of Real Property
8. P.A.E. indicates private access easement

Notes:
Basis of Bearings:
The coordinates shown hereon are Texas South Central Zone no. 4204 State Plane Grid Coordinates (NAD83), and may be brought to surface by applying the following combined scale 0.99995313336.
Flood Information:
According to FEMA Firm Panel No. 48201C0230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
1. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
2. All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
3. No building or structure shall be constructed across any pipelines, building lines, and/or easements Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
4. This plat does not attempt to amend or remove any valid restrictions or covenants.
5. A ten foot wide City of Tomball utility easement is hereby dedicated by this plat and is centered on the gas main extension from the City of Tomball right-of-way or City of Tomball utility easement up to and around the gas meter.
6. Public Easements:
Public Easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easement for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

DANIELS ACRES

A Subdivision of a 0.4403 acre (19,181 square foot) tract of land situated in the Joseph Miller Survey, Abstract Number 50, of Harris County, Texas. (Tomball ETJ).

1 UNRESTRICTED RESERVE, 1 BLOCK

Surveyor:
C & C SURVEYING, INC.
Firm Number 10009400
33300 Egypt Lane, Suite F200 Magnolia, Texas 77354
Office: 281-356-5172
survey@ccsurveying.com
www.ccsurveying.com

Owners:
Michael Daniels
Valerie Daniels
225 Foster Street
Tomball, Texas 77375
Mike Daniels Building, LLC
31302 Bearing Star Lane
Tomball, Texas 77375

STATE OF TEXAS

COUNTY OF HARRIS

We, Michael Daniels, Valerie Daniels and Mike Daniels Building, LLC, owners hereinafter referred to as Owners of the 0.4403 acre tract described in the above and foregoing map of DANIELS ACRES, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back-to-back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley, or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15' 0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners certify and covenant that they have complied with or will comply with existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioners' Court of Harris County.

WITNESS our hands in the City of _____, Texas, this ____ day of _____, 202__.

Michael Daniels Valerie Daniels

IN TESTIMONY WHEREOF, Mike Daniels Building, LLC, has caused these presents to be signed by Michael Daniels, its managing member, thereunto authorized, this ____ day of _____, 20__.

Mike Daniels Building, LLC

By: Michael Daniels, managing member

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Michael Daniels, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

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

Notary Public in and for the State of Texas

My Commission expires: _____

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Valerie Daniels, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

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

Notary Public in and for the State of Texas

My Commission expires: _____

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Michael Daniels, managing member of Mike Daniels Building, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and as the act and deed of said company.

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

Notary Public in and for the State of Texas

My Commission expires: _____

I, Steven L. Crews, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central zone.

Steven L. Crews Texas Registration No. 4141

I, Milton Rahman, County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage requirements.

Milton Rahman, P.E. County Engineer

I, Teneshia Hudspeth, County Clerk of Harris County and ex officio clerk of the Harris County Commissioners' Court, do hereby certify that the within instrument was approved at a legally convened meeting of the Harris County Commissioners' Court held on _____, 202__ by an order entered into the minutes of the court.

Teneshia Hudspeth County Clerk Of Harris County, Texas

By: Deputy

I, Teneshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 202__, at ____ o'clock __M., and duly recorded on _____, 202__, at ____ o'clock __M., and at Film Code Number _____ of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

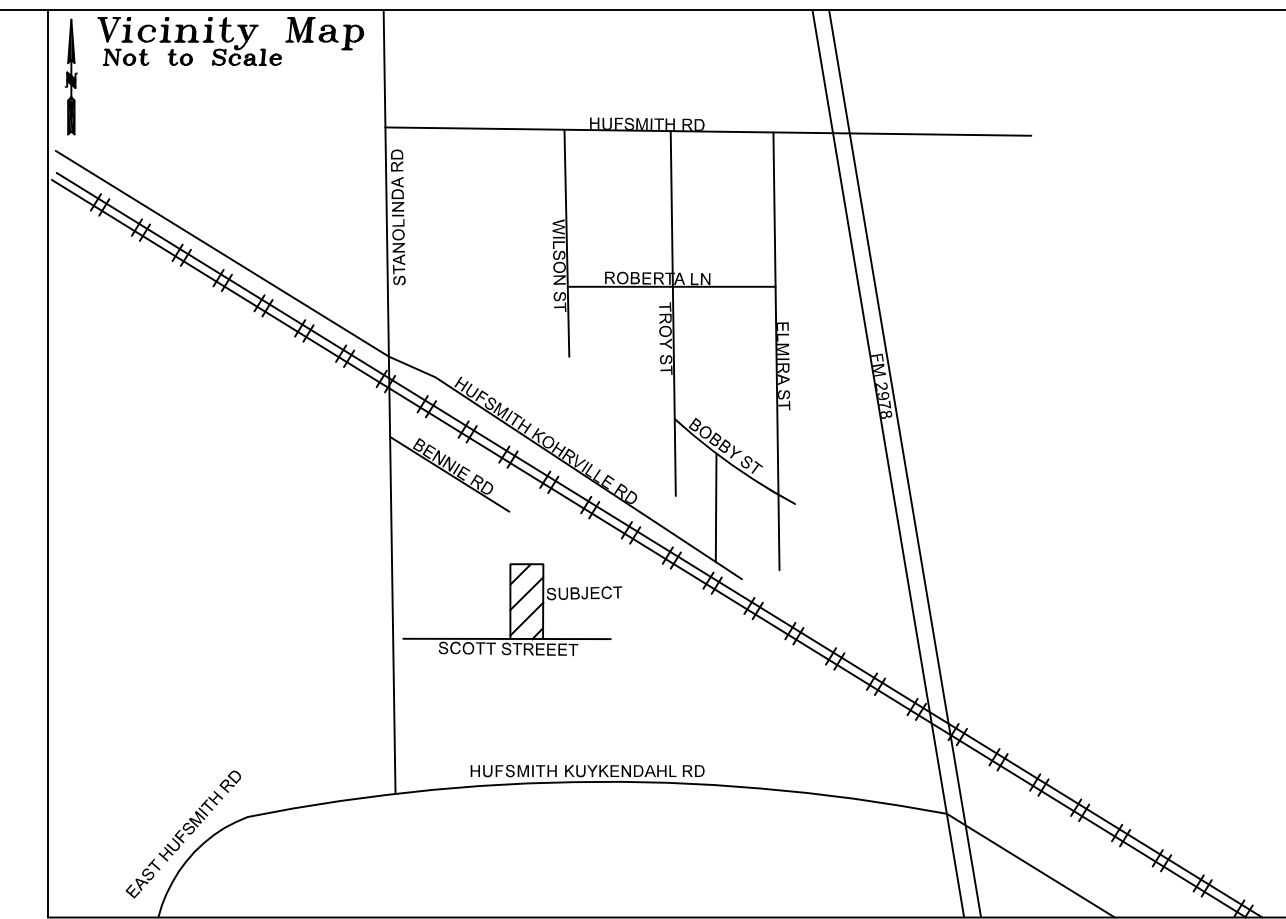
Teneshia Hudspeth County Clerk Of Harris County, Texas

By: Deputy

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of HOLDERRIETH OFFICE in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat

this ____ day of _____, 202__.

By: Craig Meyers Community Development Director



- 1. Basis of Bearings: Texas State Plane Coordinates, South Central 4204, (NAD83), GEOID 03
2. M.R.H.C.T. indicates Map Records of Harris County, Texas.
3. D.R.H.C.T. indicates Deed Records of Harris County, Texas.
4. R.P.R.H.C.T. indicates Real Property Records of Harris County, Texas.
5. FC NO. indicates Film Code Number.
6. CF NO. indicates Clerk's File Number.
7. O.P.R.O.R.P. indicates Official Property Records of Real Property
8. P.A.E. indicates private access easement

DANIELS ACRES

A Subdivision of a 0.4403 acre (19,181 square foot) tract of land situated in the Joseph Miller Survey, Abstract Number 50, of Harris County, Texas. (Tomball ETJ).

1 UNRESTRICTED RESERVE, 1 BLOCK

Surveyor: C & C SURVEYING, INC. Firm Number 10009400 33300 Egypt Lane, Suite F200 Magnolia, Texas 77354 Office: 281-356-5172 survey@ccsurveying.com www.ccsurveying.com

Owners: Michael Daniels Valerie Daniels 225 Foster Street Tomball, Texas 77375 Mike Daniels Building, LLC 31302 Bearing Star Lane Tomball, Texas 77375

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: August 12, 2024

Topic:

Minor Plat of **Houston Deco Balloons**: Being a subdivision of 0.8694 acre of land and being a partial replat of Outlot 286 of Tomball Townsite, a subdivision per plat recorded under Volume 2, Page 65 of the Harris County Map Records situated in the Jesse Pruitt Survey, Abstract 629, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff approved with no conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

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 OF TOMBALL

Plat Name: Houston Deco Balloons

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: August 12, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development approves this Plat with no conditions.

STATE OF TEXAS
COUNTY OF HARRIS

WE, HOUSTON DECO BALLOONS LLC, A TEXAS LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH SELLAPPERUMAGE ASANKA FERNANDO, OWNERS OF THE 0.8694 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF HOUSTON DECO BALLOONS, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE 20 FEET ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-INCH DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND 15 FEET WIDE ON EACH SIDE OF THE CENTERLINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED AND DEPICTED UPON IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF TOMBALL, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGEWAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGEWAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING, AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IN TESTIMONY WHEREOF, THE HOUSTON DECO BALLOONS LLC, A TEXAS LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY SELLAPPERUMAGE ASANKA FERNANDO, MANAGING MEMBER, AND ITS COMMON SEAL HERETO AFFIXED THIS ____ DAY OF _____, 20__.

HOUSTON DECO BALLOONS LLC, A TEXAS LIMITED LIABILITY COMPANY

BY: _____
SELLAPPERUMAGE ASANKA FERNANDO, MANAGING MEMBER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED SELLAPPERUMAGE ASANKA FERNANDO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 202__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL HAS APPROVED THIS PLAT AND SUBDIVISION OF HOUSTON DECO BALLOONS IN CONFORMANCE WITH THE LAWS OF THE STATE AND THE ORDINANCES OF THE CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ____ DAY OF _____, 202__.

CRAIG T. MEYERS, P.E., CFM
COMMUNITY DEVELOPMENT DIRECTOR

I, TENESHIA HUDSPETH, COUNTY CLERK OF HARRIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON ____ 202__ AT ____ O'CLOCK ____ M., AND DULY RECORDED ON ____ 202__ AT ____ O'CLOCK ____ M., AND AT FILM CODE NUMBER _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

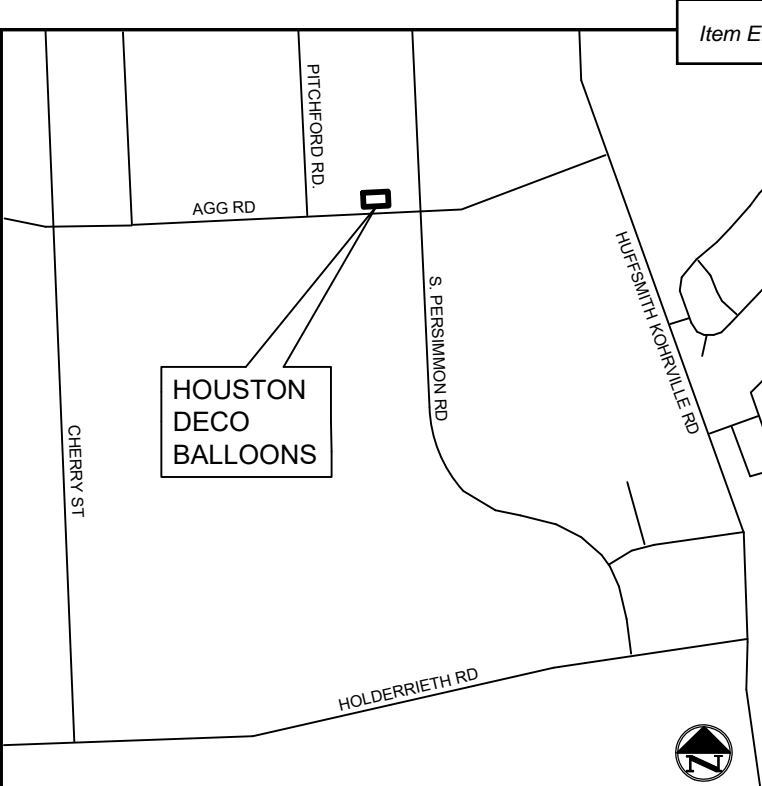
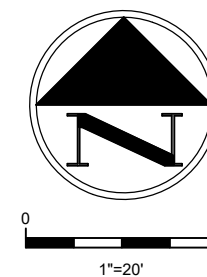
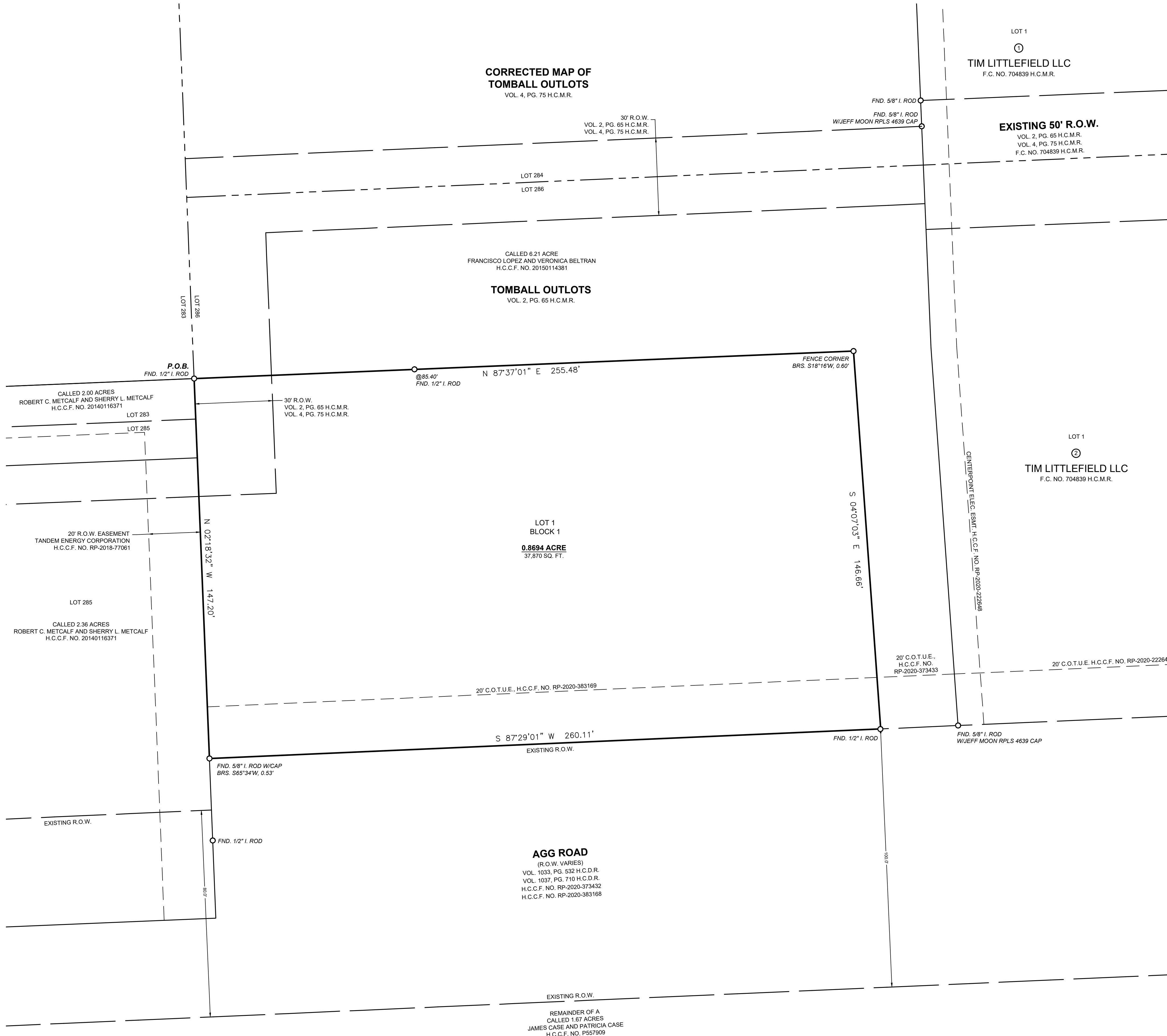
WITNESS MY HAND AND SEAL OF OFFICE, AT HARRIS COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

TENESHIA HUDSPETH
COUNTY CLERK
OF HARRIS COUNTY

BY: _____
DEPUTY

I, SEAN CONLEY, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT. WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS INCH AND A LENGTH OF NOT LESS THAN THREE FEET, AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

SEAN CONLEY
TEXAS REGISTRATION NUMBER 6739



VICINITY MAP
SCALE: 1" = 2000'
KEY MAP 289J

LEGEND

B.L.	BUILDING LINE
C.O.T.U.E.	CITY OF TOMBALL UTILITY EASEMENT
F.C. NO.	FILM CODE NUMBER
FND.	FOUND
H.C.C.F. NO.	HARRIS COUNTY CLERK'S NUMBER
H.C.M.R.	HARRIS COUNTY MAP RECORDS
I.	IRON
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET

NOTES

- BEARING ORIENTATION IS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.
- ACCORDING TO FEMA FIRM PANEL NO. 48201C0230L (EFFECTIVE DATE 06/16/2007), THIS PROPERTY IS IN ZONE "X" AND IS NOT IN THE 0.2% ANNUAL CHANGE FLOOD PLAIN.
- THIS SURVEY WAS MADE IN RELIANCE OF THAT CERTAIN CITY PLANNING LETTER ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. HT078163, DATED EFFECTIVE MAY 2, 2024.
- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER, ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER, ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.

HOUSTON DECO BALLOONS

BEING A SUBDIVISION OF
0.8694 ACRE OF LAND
AND BEING A PARTIAL REPLAT OF OUTLOT 286
OF TOMBALL TOWNSITE,
A SUBDIVISION PER PLAT
RECORDED UNDER VOLUME 2, PAGE 65
OF THE HARRIS COUNTY MAP RECORDS
SITUATED IN THE
JESSE PRUITT SURVEY, ABSTRACT 629
CITY OF TOMBALL
HARRIS COUNTY, TEXAS

1 BLOCK, 1 LOT
SCALE: 1" = 20'
DATE: MAY, 2024

OWNER
HOUSTON DECO BALLOONS LLC
12307 NORTHPOINTE RIDGE LANE
TOMBALL, TX 77377

SURVEYOR

CONLEY LAND SERVICES, LLC
11003 BUTTONWOOD CREEK TRAIL
TOMBALL, TX 77375
TEL: 832-729-4997
CONLEYLAND.COM
TPELS FIRM NO. 10194732

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: August 12, 2024

Topic:

Minor Plat of **South Cherry Street Complex:** Being a subdivision of 0.6504 acres situated in the James Pruitt Survey, Abstract No. 629, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff approved with no conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

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 OF TOMBALL

Plat Name: South Cherry Street Complex

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: August 12, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development approves this Plat with no conditions.

I, RICHARD O. KINSEY, OWNER (OR OWNERS) IN THIS SECTION AFTER REFERRED TO AS OWNERS (WHETHER ONE OR MORE) OF THE 0.650 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF SOUTH CHERRY STREET COMPLEX, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS, OR PERMANENT ACCESS, EASEMENTS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE (5) FEET IN WIDTH FROM A PLANE TWENTY (20) FEET ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

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

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

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-INCH DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

WITNESS MY HAND IN THE CITY OF TOMBALL, TEXAS, THIS _____ DAY OF _____, 2024 .

BY: _____
RICHARD O. KINSEY

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RICHARD O. KINSEY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2024.

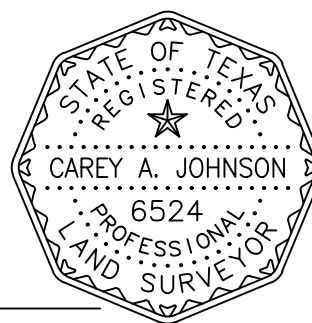
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINTED: _____

MY COMMISSION EXPIRES: _____

SURVEYOR'S ACKNOWLEDGEMENT

I, CAREY A. JOHNSON, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER INCH AND A LENGTH OF NOT LESS THAN THREE FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.



THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF SOUTH CHERRY STREET COMPLEX IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2024.

CRAIG MEYERS
DIRECTOR OF COMMUNITY DEVELOPMENT

THE STATE OF TEXAS
COUNTY OF HARRIS

I, TENESHIA HUDSPETH, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE

WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN

MY OFFICE ON _____, 2024, AT _____ O'CLOCK _____ M., AND DULY

RECORDED ON _____, 2024, AT _____ O'CLOCK _____ M., AND AT

FILM CODE NUMBER _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR

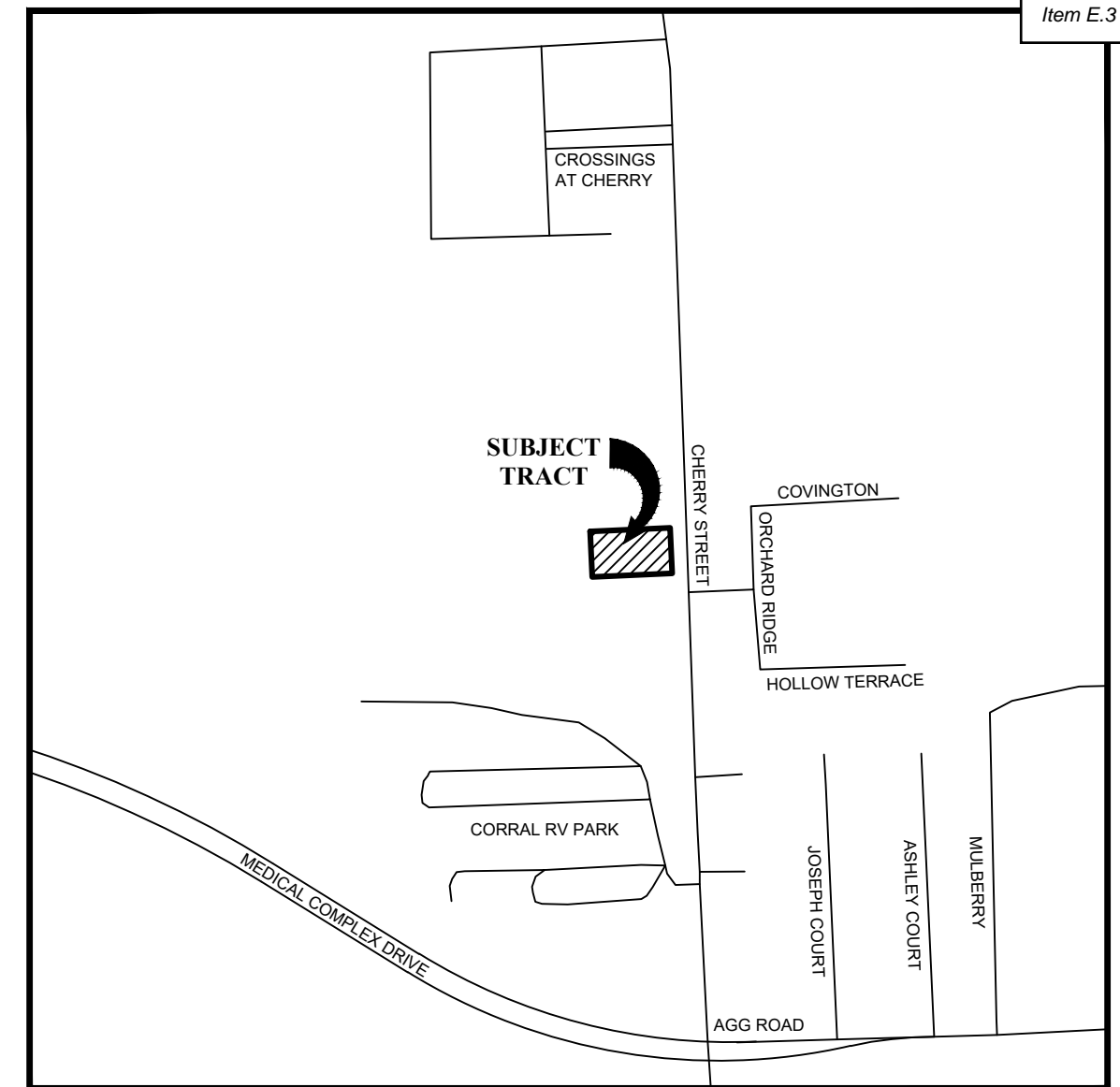
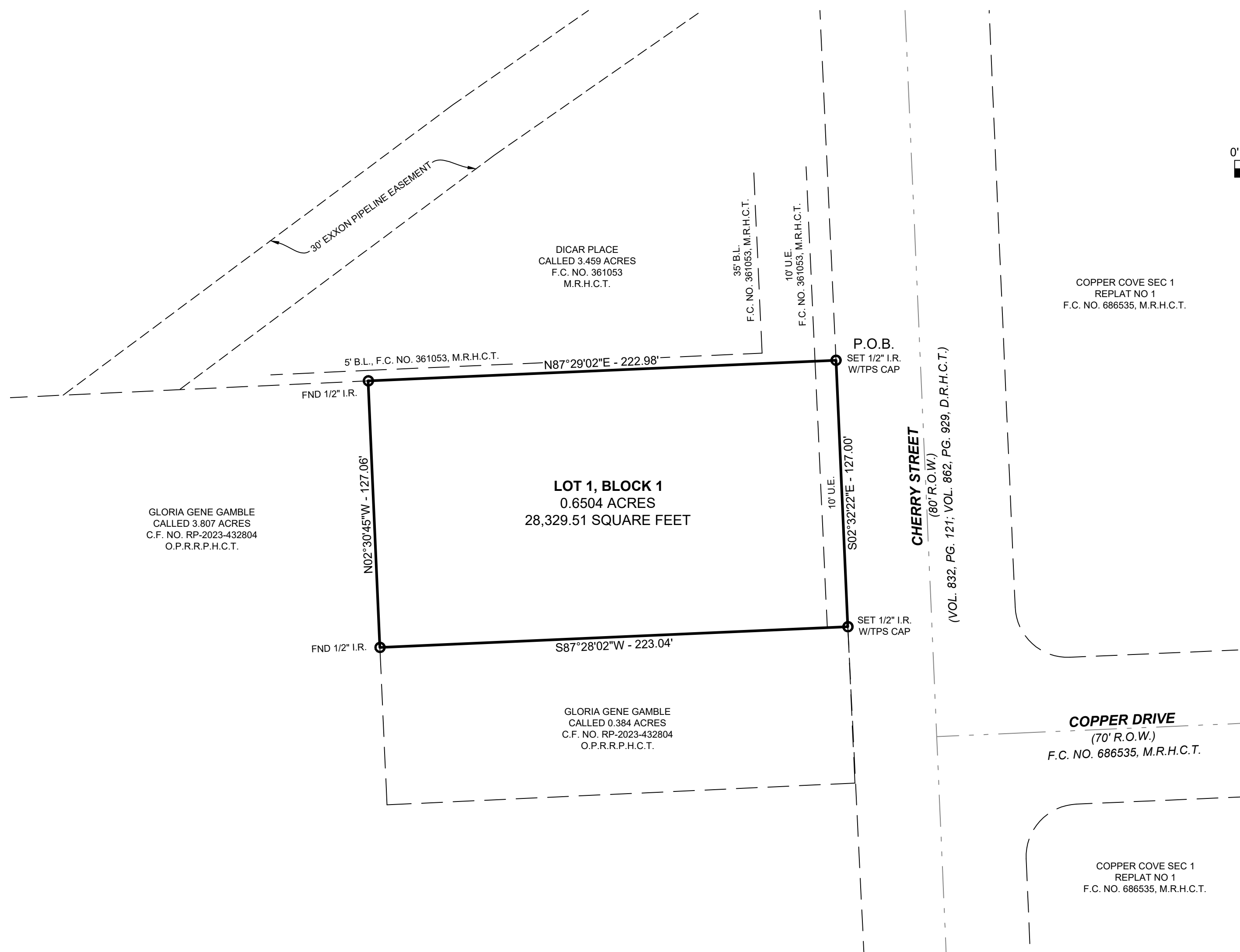
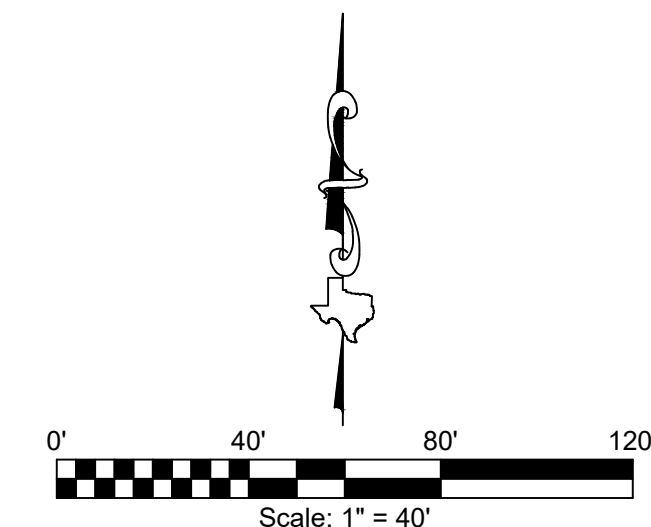
SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

TENESHIA HUDSPETH
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

LEGEND	
●	SET 5/8" IRON ROD W/CAP "TPS 100834-00"
⊙	FOUND SURVEY MONUMENT (DESCRIBED)
⊙	CALCULATED CORNER
⊙	3-INCH BRASS DISK IN 6-INCH CONCRETE MONUMENT
○	IRON ROD
○	IRON PIPE
○	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY HARRIS COUNTY, TEXAS
○	MAP RECORDS OF HARRIS COUNTY, TEXAS
○	DEED RECORDS OF HARRIS COUNTY, TEXAS
○	MAP RECORDS OF MONTGOMERY COUNTY, TEXAS
○	FILM CODE NUMBER
○	CLERK'S FILE NUMBER
○	RIGHT-OF-WAY
○	BUILDING LINE
○	UTILITY EASEMENT
○	DRAINAGE EASEMENT
○	EASEMENT
○	BUILDING LINE



VICINITY MAP
SCALE 1" = 500'

GENERAL NOTES:

- NO PORTION OF THIS PROPERTY APPEARS TO LIE WITHIN THE 100 YEAR FLOODPLAIN PER HARRIS COUNTY COMMUNITY MAP NO. 480315, FEMA FIRM PANEL NO. 0230L, HAVING AN EFFECTIVE DATE OF JUNE 18, 2007.
- ALL COORDINATES, BEARINGS, DISTANCES, AND AREAS SHOWN HEREON ARE GRID MEASUREMENTS BASED ON GPS OBSERVATIONS AND REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD83), TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, U.S. SURVEY FEET, AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR OF 1.0000XXXX.
- PROPERTY LINES SHOWN OUTSIDE THE BOUNDARY LINE OF THE SUBJECT TRACT MAY NOT HAVE BEEN SURVEYED ON THE GROUND AND ARE SHOWN HEREON FOR INFORMATIONAL PURPOSES AND GRAPHICAL DEPICTION.
- ALL LOT CORNERS ARE SET 5/8-INCH IRON ROD WITH CAP STAMPED "TPS 100834-00" (UNLESS OTHERWISE NOTED).
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.

SOUTH CHERRY STREET COMPLEX

BEING A SUBDIVISION OF 0.650 ACRES SITUATED IN THE JAMES PRUITT SURVEY, ABSTRACT NO. 629, HARRIS COUNTY, TEXAS.

1 LOT 1 BLOCK

JUNE 2024

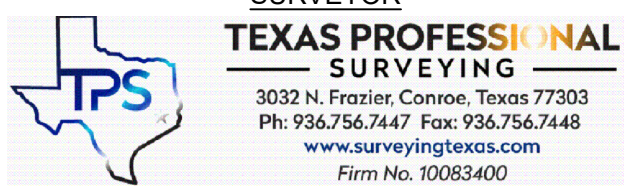
OWNER

RICHARD O. KINSEY
P.O. BOX 1141
TOMBALL, TX 77377

SURVEYOR

TEXAS PROFESSIONAL SURVEYING

3032 N. Frazier, Conroe, Texas 77303
Ph: 936.756.7447 Fax: 936.756.7448
www.surveyingtexas.com
Firm No. 10083400



Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: August 12, 2024

Topic:

Minor Plat of **Cemex Tomball**: A subdivision of 8.6233 acres, (375,630 Square Feet.), of land situated in the John S. Smith Survey, Abstract 730, City of Tomball, as tract is within city limits, Harris County, Texas; being the remainder of a called 9.233 acre tract conveyed to TXI Operations by General Warranty Deed recorded under Clerk’s File No. T015795 of the Harris County Official Public Records of Real Property; said 8.6232 acres being more particularly described as follows with all bears based on a call of south 00 Degrees 40 minutes 00 seconds east, along the west right-of way line of Hufsmith-Kohrville Road (FM 2978) as described in Deed Recorded in Clerk’s File No. N473534 of the Harris County Public Records of Real Property.

Background:

Origination:

Recommendation:

Staff approved with no conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

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 OF TOMBALL

Plat Name: Cemex Tomball

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: August 12, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development approves this Plat with no conditions.

STATE OF TEXAS
COUNTY OF HARRIS

We, CEMEX CONSTRUCTION MATERIALS SOUTH, LLC acting by and through Rick Rackley, Director of Fleet and Plant Maintenance & Rondal Bingham, Maintenance Manager, being officers of CEMEX CONSTRUCTION MATERIALS SOUTH, LLC, owners in this section after referred to as owners of the 8.6233 acre tract described in the above and foregoing plat of CEMEX TOMBALL PLAT, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet in width from a plane 20 feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby dedicate to the public a strip of land 15 feet wide on each side of the centerline of any and all bays, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the CEMEX CONSTRUCTION MATERIALS SOUTH, LLC has caused these presents to be signed by Rick Rackley, its Director of Fleet and Plant Maintenance, hereunto authorized, attested by its Maintenance Manager, Rondal Bingham, and its common seal hereunto affixed this ____ day of _____ 20__.

CEMEX CONSTRUCTION MATERIALS SOUTH, LLC

By: Rick Rackley
Director of Fleet and Plant Maintenance

Attest: Rondal Bingham
Maintenance Manager

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Rick Rackley, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____ 20__

Notary Public in and for the State of Texas
Print Name:

My Commission expires: _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Rondal Bingham, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____ 20__

Notary Public in and for the State of Texas
Print Name:

My Commission expires: _____

I, Fred W. Lawton, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plot boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.



Fred W. Lawton
Texas Registration No. 2321

This is to certify that the planning and zoning commission of the City of Tomball has approved this plat and subdivision of Cemex Tomball Plat in conformance with the laws of the state and the ordinances of the city as shown hereon and authorized the recording of this plat this ____ day of _____ 20__.

By: Barbara Tague, Susan Harris
Chairman Vice Chairman

I, Tenesha Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____ 20__ at _____ o'clock _____ M., and duly recorded on _____ 20__ at _____ o'clock _____ M., and at Film Code Number _____ of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

Tenesha Hudspeth
County Clerk
Of Harris County, Texas

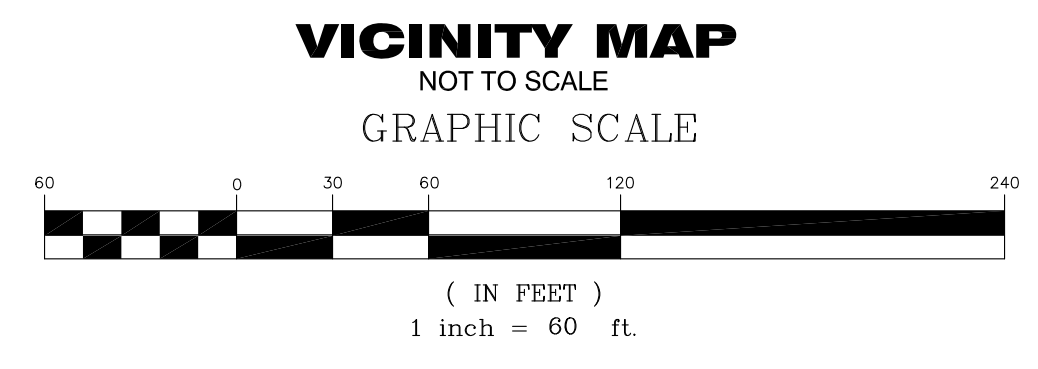
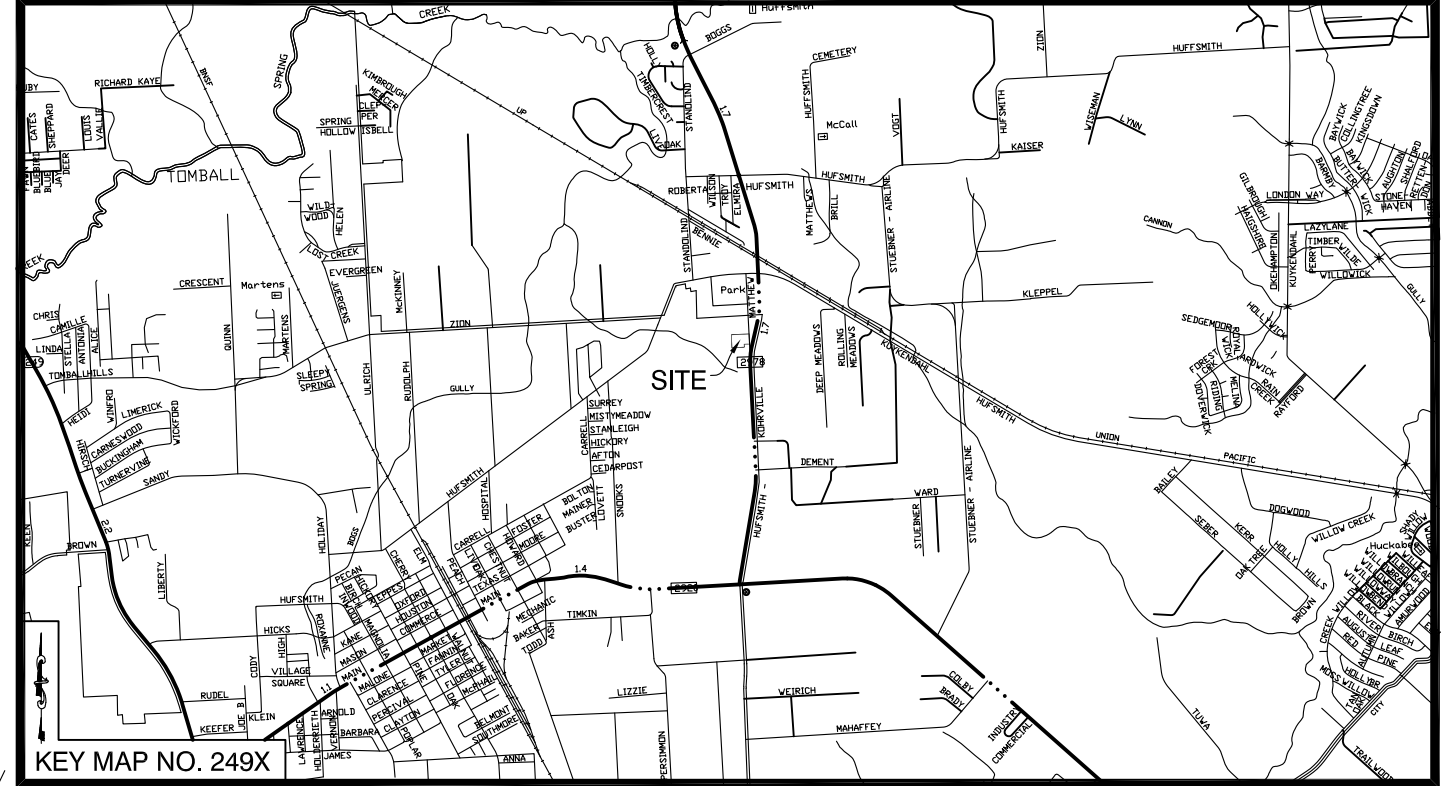
By: _____
Deputy



LINE TABLE

NO.	BEARING	LENGTH
LI	N 72°05'27" W	51.51'

- LEGEND:
- SQ. FT. - SQUARE FEET
 - B.L. - BUILDING LINE
 - U.E. - UTILITY EASEMENT
 - R.O.W. - RIGHT OF WAY
 - H.C.C.F. - HARRIS COUNTY CLERK'S FILE
 - H.C.M.R. - HARRIS COUNTY MAP RECORDS
 - VOL. - VOLUME
 - PG. - PAGE
 - FND - FOUND
 - IP - IRON PIPE
 - IR - IRON ROD
 - CIR - CAPPED IRON ROD
 - STS* - STAMPED SOUTH TEXAS SURVEYING



- NOTES:
- Unless otherwise indicated, the building lines [b.l.], whether one or more, shown on this subdivision plat are established to evidence compliance with the applicable provisions of Chapter 42, Code of Ordinances, City of Tomball, Texas, in effect at the time this plat was approved, which may be amended from time to time.
 - The Coordinates shown hereon are Texas South Central Zone no. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale 0.99995154444570.
 - Absent written authorization by the affected utilities, all utility and aerial easements must be kept unobstructed from any non-utility improvements or obstructions by the property owner. Any unauthorized improvements or obstructions may be removed by any public utility at the property owner's expense. While wooden posts and paneled wooden fences along the perimeter and back to back easements and alongside rear lots lines are permitted, they too may be removed by public utilities at the property owner's expense should they be an obstruction. Public Utilities may put solid wooden posts and paneled wooden fences back up, but generally will not replace with new fencing.
 - To the best knowledge and belief of the surveyor, all oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
 - To the best knowledge and belief of the surveyor, all oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
 - No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
 - This plat does not attempt to amend or remove any valid covenants or restrictions.
 - Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

CEMEX TOMBALL
1 BLOCK, 1 LOT

A SUBDIVISION OF 8.6233 ACRES (375,630 SQ.FT.) OF LAND SITUATED IN THE JOHN S. SMITH SURVEY, ABSTRACT 730, CITY OF TOMBALL, AS TRACT IS WITHIN CITY LIMITS, HARRIS COUNTY, TEXAS; BEING THE REMAINDER OF A CALLED 9.233 ACRE TRACT CONVEYED TO TXI OPERATIONS BY GENERAL WARRANTY DEED RECORDED UNDER CLERK'S FILE NO. T015795 OF THE HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY; SAID 8.6232 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH ALL BEARS BASED ON A CALL OF SOUTH 00 DEGREES 40 MINUTES 00 SECONDS EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF HUFSMITH-KHORVILLE ROAD (FM 2978) AS DESCRIBED IN DEED RECORDED IN CLERK'S FILE NO. N473534 OF THE HARRIS COUNTY PUBLIC RECORDS OF REAL PROPERTY.

REASON FOR PLAT:
TO CREATE 1 LOT
SCALE: 1" = 60' DATE: 7/2024

OWNER: CEMEX CONSTRUCTION MATERIALS SOUTH LLC
ADDRESS: P.O. BOX 2883
WEST PALM BEACH FL 33402-2883



SOUTH TEXAS SURVEYING ASSOCIATES, INC.
11281 Richmond Ave. Bldg J, Suite 101, Houston, Texas 77082
281-556-6918 FAX 281-556-9331
Firm Number: 10045400

Planning & Zoning Commission

Agenda Item

Data Sheet

Meeting Date: August 12, 2024

Topic:

Minor Plat of **Tomball Medical Complex Two:** A subdivision of 2.7321 Acres, (119,009.40 Square Feet), situated in the William Hurd Survey, Abstract No. 378, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff approved with no conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

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 OF TOMBALL

Plat Name: Tomball Medical Complex Two

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: August 12, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development approves this Plat with no conditions.

STATE OF TEXAS
COUNTY OF HARRIS

We, Tannos Tomball LLC, acting by and through Louis Tannos and Eric Langan, owner, hereinafter referred to as Owners of the 2.7321 acre tract described in the above and foregoing map of TOMBALL MEDICAL COMPLEX TWO, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements, or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15'0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; we further certify that no portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot.

IN TESTIMONY WHEREOF, Tannos Tomball LLC, has caused these presents to be signed by Louis Tannos and Eric Langan, thereunto authorized, this _____ day of _____, 20____.

Tannos Tomball LLC

By: _____
Louis Tannos

By: _____
Eric Langan

STATE OF TEXAS
COUNTY OF HARRIS

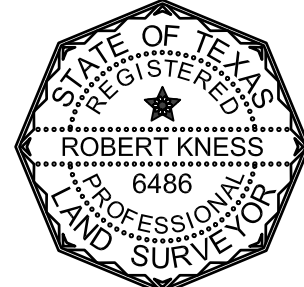
BEFORE ME, the undersigned authority, on this day personally appeared Louis Tannos and Eric Langan of Tannos Tomball LLC, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20____.

Notary Public in and for the
State of Texas

My Commission Expires: _____

I, ROBERT KNESS, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown on boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.



ROBERT KNESS
Registered Professional Land Surveyor
Texas Registration No. 6486

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of TOMBALL MEDICAL COMPLEX TWO in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 20____.

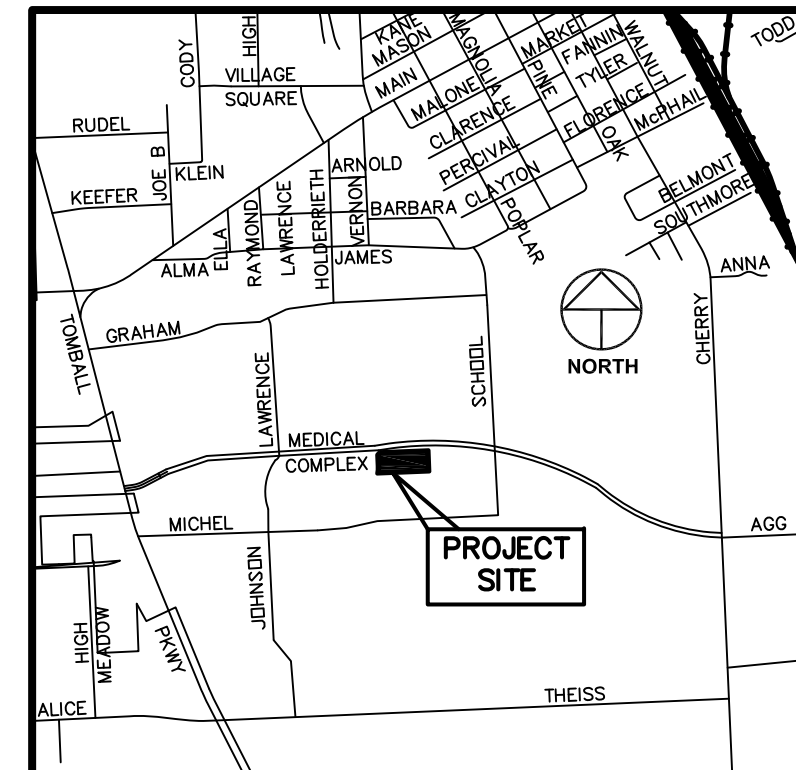
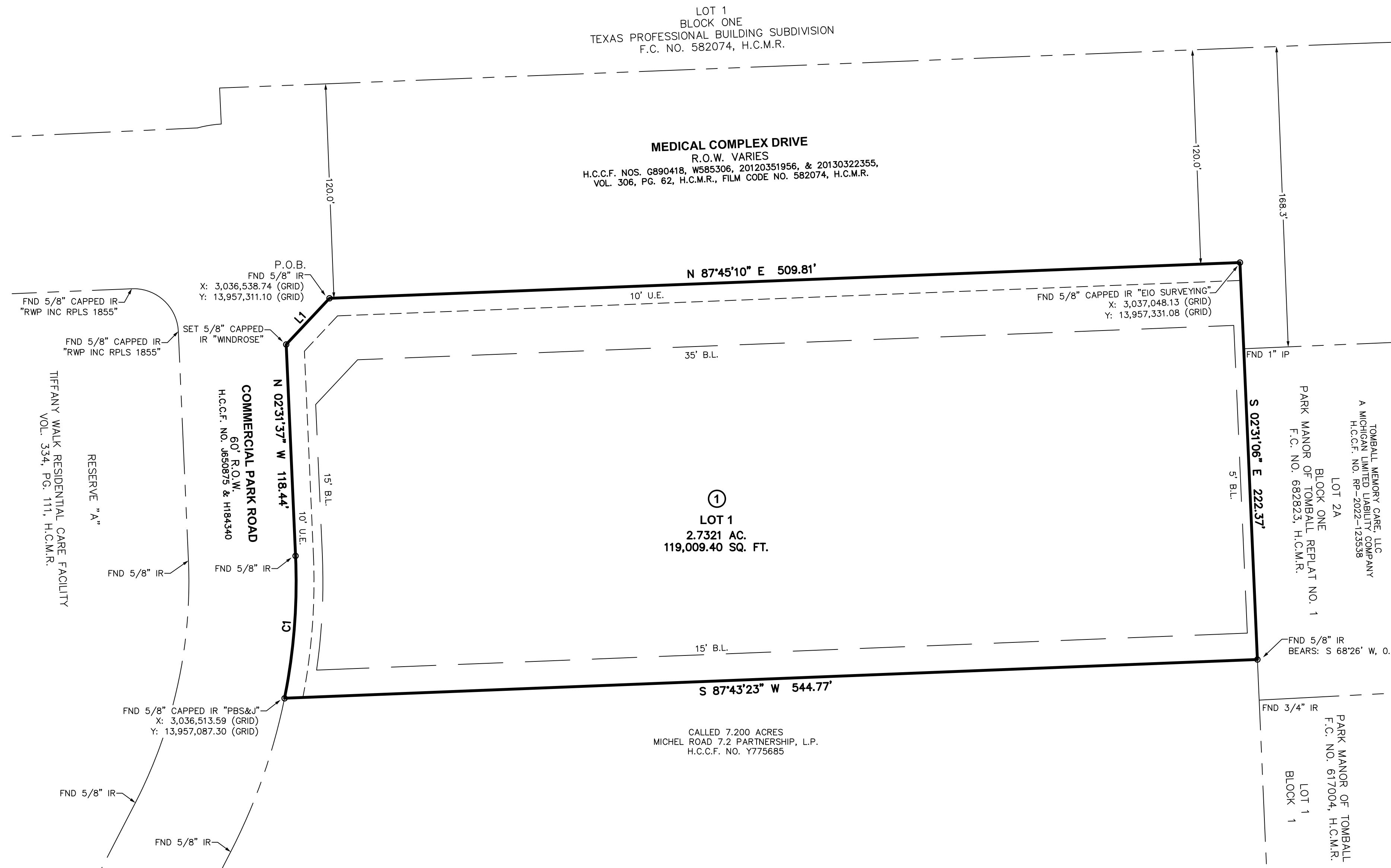
By: _____
Craig Meyers
Director of Community Development

I, Tenneshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 20____ at _____ o'clock _____M., and duly recorded on _____, 20____ at _____ o'clock _____M., and at Film Code Number _____ of the Map Records of Harris County for said county.

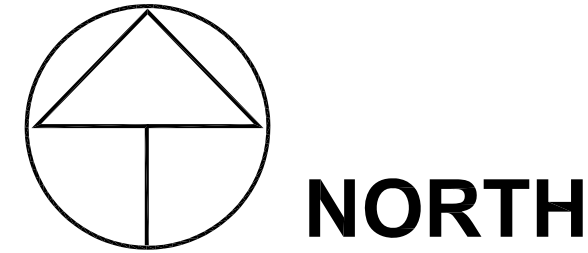
Witness my hand and seal of office, at Houston, the day and date last above written.

Tenneshia Hudspeth
County Clerk of
Harris County, Texas

By: _____
Deputy



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'



LINE TABLE

LINE	BEARING	DISTANCE
LT	N 43°08'09" E	35.42'

CURVE CHART

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	330.00'	13°54'11"	80.08'	N 04°25'29" E	79.88'

DESCRIPTION

A TRACT OR PARCEL CONTAINING 2.732 ACRES OR 119,009 SQUARE FEET OF LAND SITUATED IN THE WILLIAM HURD SURVEY, ABSTRACT NO. 378, HARRIS COUNTY, TEXAS, OUT OF A CALLED 2.7320 ACRE TRACT OF LAND, CONVEYED TO PARIS HOME BASE LLC, RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NO. RP-2023-285861, WITH SAID 2.732 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (4204):

BEGINNING AT A 5/8 INCH IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF MEDICAL COMPLEX DRIVE (R.O.W. VARIES), DESCRIBED UNDER H.C.C.F. NOS. 20120351956, 20130322355, W585306, & G890418, VOL. 306, PG. 62, HARRIS COUNTY MAP RECORDS (H.C.M.R.) & FILM CODE (F.C.) NO. 582074, H.C.M.R., AT THE NORTHEAST END OF A CUTBACK CORNER AT THE INTERSECTION OF HOLDERRIETH ROAD (60 FOOT R.O.W.), DESCRIBED UNDER H.C.C.F. NO. J650876 & H184340 AND SAID MEDICAL COMPLEX DRIVE, FOR THE MOST NORTHERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE SOUTH R.O.W. LINE OF SAID MEDICAL COMPLEX DRIVE, NORTH 87 DEG. 45 MIN. 10 SEC. EAST, A DISTANCE OF 509.81 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "EIO SURVEYING" FOUND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEG. 31 MIN. 06 SEC. WEST, WITH THE WEST R.O.W. LINE OF SAID MEDICAL COMPLEX DRIVE, PASSING AT A DISTANCE OF 48.26 FEET TO A 1 INCH IRON PIPE FOUND MARKING THE NORTHWEST CORNER OF LOT 2A, BLOCK 1, PARK MANOR OF TOMBALL REPLAT NO. 1, MAP OR PLAT THEREOF RECORDED UNDER F.C. NO. 682823, H.C.M.R., AND CONTINUING WITH THE WEST LINE OF SAID LOT 2A FOR A TOTAL DISTANCE OF 223.37 FEET TO THE COMMON EAST CORNER OF CALLED 7,200 ACRES, CONVEYED TO MICHEL ROAD 7.2 PARTNERSHIP, L.P., RECORDED UNDER H.C.C.F. NO. Y775685, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS FOR REFERENCE SOUTH 68 DEG. 26 MIN. WEST, A DISTANCE OF 0.4 FEET;

THENCE, SOUTH 87 DEG. 43 MIN. 23 SEC. WEST, WITH THE COMMON LINE OF SAID 7,200 ACRE TRACT AND 2,7320 ACRE TRACT, A DISTANCE OF 544.77 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED "WINDROSE" FOUND ON THE EAST R.O.W. LINE OF SAID HOLDERRIETH ROAD, MARKING THE COMMON WEST CORNER OF SAID 7,200 ACRE TRACT AND SAID 2,7320 ACRE TRACT; FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE, WITH THE EAST R.O.W. LINE OF SAID HOLDERRIETH ROAD, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1. WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 13 DEG. 54 MIN. 11 SEC., AN ARC LENGTH OF 80.08 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 04 DEG. 25 MIN. 29 SEC. EAST, - 79.88 FEET TO A 5/8 INCH IRON ROD FOUND FOR A POINT OF TANGENCY;
- 2. NORTH 02 DEG. 31 MIN. 37 SEC. WEST, A DISTANCE OF 118.44 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED "WINDROSE" SET AT THE SOUTHWEST END OF A CUTBACK CORNER AT THE INTERSECTION OF SAID MEDICAL COMPLEX DRIVE AND SAID HOLDERRIETH ROAD, FOR THE MOST WESTERLY NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;
- 3. NORTH 43 DEG. 08 MIN. 09 SEC. EAST, WITH SAID CUTBACK CORNER, A DISTANCE OF 35.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.732 ACRES OR 119,009 SQUARE FEET OF LAND.

GENERAL NOTES

- 1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN CITY PLANNING LETTER NO. 2791024-05077 OF TEXAS AMERICAN TITLE, DATED JUNE 23, 2024, AND IS SUBJECT TO THE LIMITATIONS OF THAT COMMITMENT.
- 2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
- 3. ALL COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83), AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING SCALE FACTOR - 0.999948071.
- 4. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- 5. ALL OIL/GAS WELLS (PLUGGED, ABANDONED, AND/OR ACTIVE) WITH OWNERSHIP THROUGH THIS SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- 6. NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS, BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES, THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF THE CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF THE CENTERLINE OF HIGH PRESSURE GAS LINES.
- 7. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE AND VALID COVENANTS OR RESTRICTIONS.
- 8. PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF ACCESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- 9. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 48201C0230L, REVISED/DATED JUNE 18, 2007, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR, AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE SURVEYING AND LAND SERVICES.
- 10. A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.
- 11. THE ACREAGE AND SQUARE FOOTAGE PRECISION IS SHOWN HEREON AS REQUIRED UNDER TOMBALL CODE OF ORDINANCES, CHAPTER 40, SECTION 40-29 (3) BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES DESCRIBED AND DO NOT INCLUDE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.

ABBREVIATIONS

- A.E. - AERIAL EASEMENT
- D.E. - DRAINAGE EASEMENT
- ESMT. - EASEMENT
- FND - FOUND
- H.C.C.F. - HARRIS COUNTY CLERK FILE
- H.C.D.P. - HARRIS COUNTY DEED RECORDS
- H.C.M.R. - HARRIS COUNTY MAP RECORDS
- IP - IRON PIPE
- IRC - IRON ROD
- IRC - CAPPED IRON ROD
- NO. - NUMBER
- PG. - PAGE
- R.O.W. - RIGHT-OF-WAY
- AC. - ACRES
- SQ. FT. - SQUARE FEET
- VO. - VOLUME
- B.L. - BUILDING LINE
- W.L.E. - WATER LINE EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- C.O.U.E. - CITY OF TOMBALL UTILITY EASEMENT
- U.E. - UTILITY EASEMENT
- (S) - SET 5/8" CAPPED IR "WINDROSE"

TOMBALL MEDICAL COMPLEX TWO

A SUBDIVISION OF
2.7321 ACRES/119,009.40 SQ. FT.
SITUATED IN THE
WILLIAM HURD SURVEY, ABSTRACT NO. 378
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

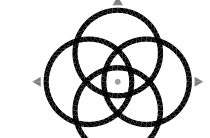
1 BLOCK 1 LOT

JULY 2024

Owner

Tannos Tomball LLC
505 S Friendswood Dr., Suite 119
Friendswood, TX 77546
281-993-5502

Surveyor



WINDROSE
LAND SURVEYING I PLATTING
FIRM REGISTRATION NO. 10108800
713.458.2281 | WINDROSESERVICES.COM
5353 W SAM HOUSTON PKWAY N, SUITE 150, HOUSTON TX 77041

2, 99734 - TOMBALL MEDICAL - COMMERCIAL PLAT 20240731 - PLAT - TOMBALL MEDICAL COMPLEX 2 - 99734 - PL2024.DWG - S:SIENKOWSKI - 07/31/24

Planning & Zoning Commission

Agenda Item

Data Sheet

Meeting Date: August 12, 2024

Topic:

Minor Plat of **Tomball Regional Health Foundation**: Being a subdivision of 5.5516 Acres of Land situated in the William Hurd Survey, Abstract 378, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff approved with no conditions.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley, Assistant City Planner

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 OF TOMBALL

Plat Name: Tomball Regional Health Foundation

Plat Type: Minor

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: August 12, 2024

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development approves this Plat with no conditions.

STATE OF TEXAS
COUNTY OF HARRIS

WE, TOMBALL HOSPITAL AUTHORITY, D/B/A TOMBALL REGIONAL HEALTH FOUNDATION, ACTING BY AND THROUGH JEFFREY KLEIN, CHIEF EXECUTIVE OFFICER, OWNERS OF THE 5.552 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF TOMBALL REGIONAL HEALTH FOUNDATION, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE 20 FEET ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-INCH DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND 15 FEET WIDE ON EACH SIDE OF THE CENTERLINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED AND DEPICTED UPON IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF TOMBALL, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGEWAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGEWAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING, AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IN TESTIMONY WHEREOF, THE TOMBALL HOSPITAL AUTHORITY, D/B/A TOMBALL REGIONAL HEALTH FOUNDATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY JEFFREY KLEIN, CHIEF EXECUTIVE OFFICER, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS ____ DAY OF _____, 202__.

TOMBALL HOSPITAL AUTHORITY, D/B/A TOMBALL REGIONAL HEALTH FOUNDATION

BY: _____
JEFFREY KLEIN, CHIEF EXECUTIVE OFFICER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JEFFREY KLEIN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGMENT TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 202__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL HAS APPROVED THIS PLAT AND SUBDIVISION OF TOMBALL REGIONAL HEALTH FOUNDATION IS IN CONFORMANCE WITH THE LAWS OF THE STATE AND THE ORDINANCES OF THE CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ____ DAY OF _____, 202__.

CRAIG T. MEYERS, P.E., CFM
COMMUNITY DEVELOPMENT DIRECTOR

I, TENESHIA HUDSPETH, COUNTY CLERK OF HARRIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON ____ AT ____ O'CLOCK ____ M., AND DULY RECORDED ON ____ AT ____ O'CLOCK ____ M., AND AT FILM CODE NUMBER ____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

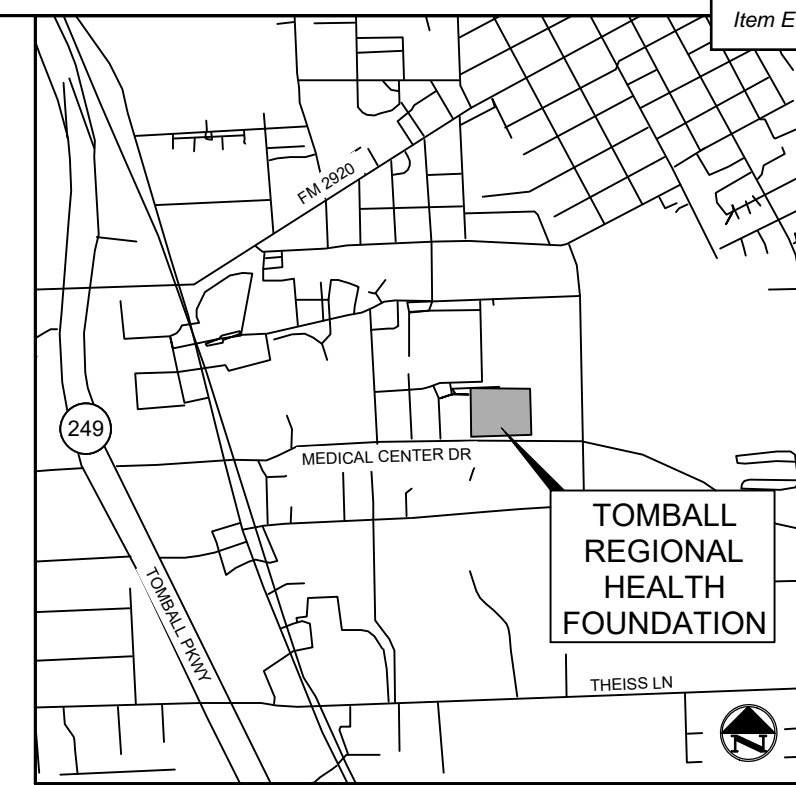
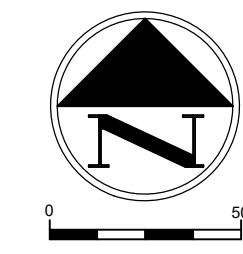
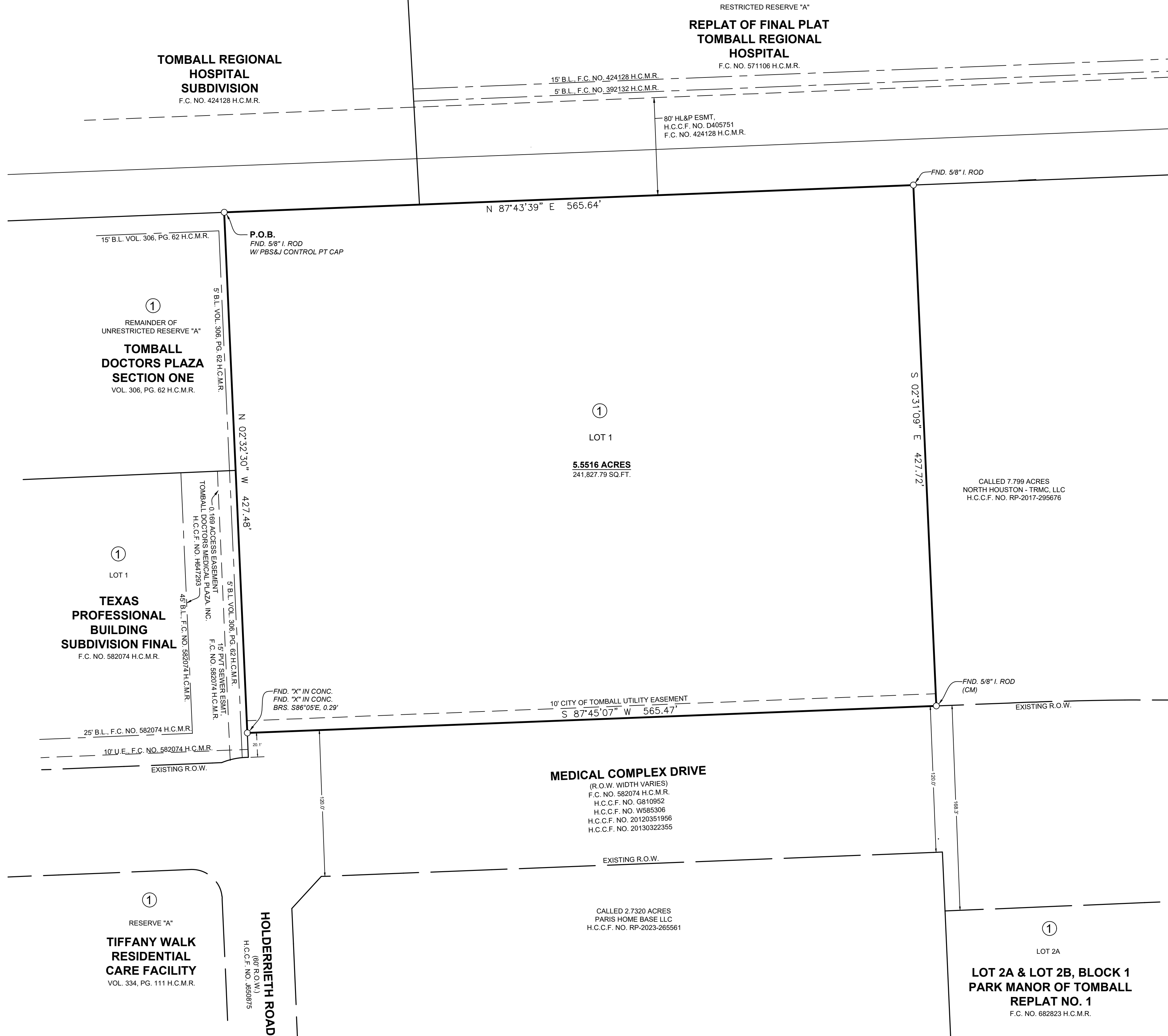
WITNESS MY HAND AND SEAL OF OFFICE, AT HARRIS COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

TENESHIA HUDSPETH
COUNTY CLERK
OF HARRIS COUNTY

BY: _____
DEPUTY

I, SEAN CONLEY, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS INCH AND A LENGTH OF NOT LESS THAN THREE FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

SEAN CONLEY
TEXAS REGISTRATION NUMBER 6739



VICINITY MAP
SCALE 1" = 200'
KEY MAP NO. 288L

LEGEND

BL.	BUILDING LINE
CONC.	CONCRETE
F.C. NO.	FILM CODE NUMBER
FND.	FOUND
H.C.C.F. NO.	HARRIS COUNTY CLERK'S NUMBER
H.C.M.R.	HARRIS COUNTY MAP RECORDS
I.	IRON
PG.	PAGE
PVT	PRIVATE
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
U.E.	UTILITY EASEMENT

NOTES

- BEARING ORIENTATION IS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.
- ACCORDING TO FEMA FIRM PANEL NO. 48201C0230L (EFFECTIVE DATE 06/18/2007), THIS PROPERTY IS IN ZONE "X" AND IS NOT IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- THIS SURVEY WAS MADE IN RELIANCE OF THAT CERTAIN CITY PLANNING LETTER ISSUED BY INTEGRITY TITLE, JOB NO. 2443884A, DATED EFFECTIVE JUNE 26, 2024.
- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.

TOMBALL REGIONAL HEALTH FOUNDATION

BEING A SUBDIVISION OF 5.5516 ACRES OF LAND SITUATED IN THE WILLIAM HURD SURVEY, ABSTRACT 378 CITY OF TOMBALL HARRIS COUNTY, TEXAS

1 LOT, 1 BLOCK
SCALE: 1" = 50'
DATE: JULY, 2024

OWNER
TOMBALL HOSPITAL AUTHORITY
D/B/A TOMBALL REGIONAL HEALTH FOUNDATION
29201 QUINN ROAD, SUITE A
TOMBALL, TX 77375

SURVEYOR

CONLEY LAND SERVICES, LLC
11003 BUTTWOOD CREEK TRAIL
TOMBALL, TX 77375
TEL: 832-729-4997
CONLEYLAND.COM
TBPELS FIRM NO. 10194732

Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: August 12, 2024

Topic:

Conduct a public hearing and consideration to approve **Zoning Case Z24-10**: Request by TYKHE LLC, represented by JLS Real Estate, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 6.500 acres of land legally described as portions of Lot 187 & Tracts 188, 191A, and 192A of Tomball Outlots within the Jesse Pruitt Survey, Abstract 629 from Commercial (C) to Light Industrial (LI). The property is located at 1730 South Cherry Street, within the City of Tomball, Harris County, Texas.

Background:

The subject property currently houses the BLTI, an Inframark Company, headquarters and includes 6.500 acres of undeveloped land to the west. The entire property was rezoned from the Agricultural (Ag) to Commercial (C) district in 2009. The applicant is requesting to rezone the undeveloped portion to Light Industrial (LI) in anticipation of acquiring this subdivision of land. This request aims to allow for the development of a multibuilding trade park that has the most expansive range of potential tenants. The adjacent undeveloped lot to the north was rezoned from the Agricultural (AG) to Light Industrial (LI) district in 2011.

Origination: TYKHE LLC, represented by JLS Real Estate

Recommendation:

Staff recommends approval of **Zoning Case Z24-10**.

Party(ies) responsible for placing this item on agenda: Benjamin Lashley (Assistant City Planner)

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

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 12, 2024
&
CITY COUNCIL
AUGUST 19, 2024**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 12, 2024 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 19, 2024 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

Zoning Case Z24-10: Request by TYKHE LLC, represented by JLS Real Estate, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 6.500 acres of land legally described as portions of Lot 187 & Tracts 188, 191A, and 192A of Tomball Outlots within the Jesse Pruitt Survey, Abstract 629 from Commercial (C) to Light Industrial (LI). The property is located at 1730 South Cherry Street, within the City of Tomball, Harris County, Texas.

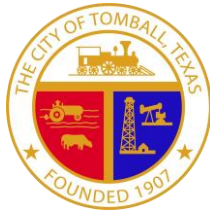
At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Administrative Services Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Benjamin Lashley, at (281) 290-1477 or at blashley@tomballtx.gov.

CERTIFICATION

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 9th day of August 2024 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Benjamin Lashley
Benjamin Lashley
Assistant City Planner

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 feel free to contact the City Secretary's office at (281) 290-1019 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



**City of Tomball
Community Development Department**

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z24-10

07/15/2024

The Planning & Zoning Commission will hold a public hearing on **August 12, 2024 at 6:00 PM**, in City Council Chambers at City Hall, 401 Market Street, Tomball, Texas to recommend approval or denial to City Council on a request by TYKHE LLC, represented by JLS Real Estate, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 6.500 acres of land legally described as portions of Lot 187 & Tracts 188, 191A, and 192A of Tomball Outlots within the Jesse Pruitt Survey, Abstract 629 from Commercial (C) to Light Industrial (LI). The property is located at 1730 South Cherry Street, within the City of Tomball, Harris County, Texas.

This hearing is open to any interested person. Opinions, objections, and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only that area which is bounded by the cross-hatched line on the map is being considered for **re-zoning**. The solid boundary line around the subject area is only a notification area. All owners of property within 300-feet of the subject property are required to be notified. Whether approved or denied by the Planning & Zoning Commission, this case will be heard by City Council for First Reading with public hearing on **August 19, 2024 at 6:00 PM** in City Council Chambers at City Hall, 401 Market Street, Tomball, Texas.

If you have any questions please contact Benjamin Lashley, Assistant City Planner, by telephone (281-290-1477) or by email address blashley@tomballtx.gov.

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1477 if you have any questions about this notice.

CASE #: Z24-10

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name:
Parcel I.D.:
Address:

Mailing To: Community Development Department
501 James St., Tomball TX 77375

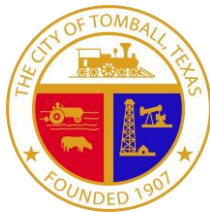
Email: blashley@tomballtx.gov

I am in favor

I am opposed

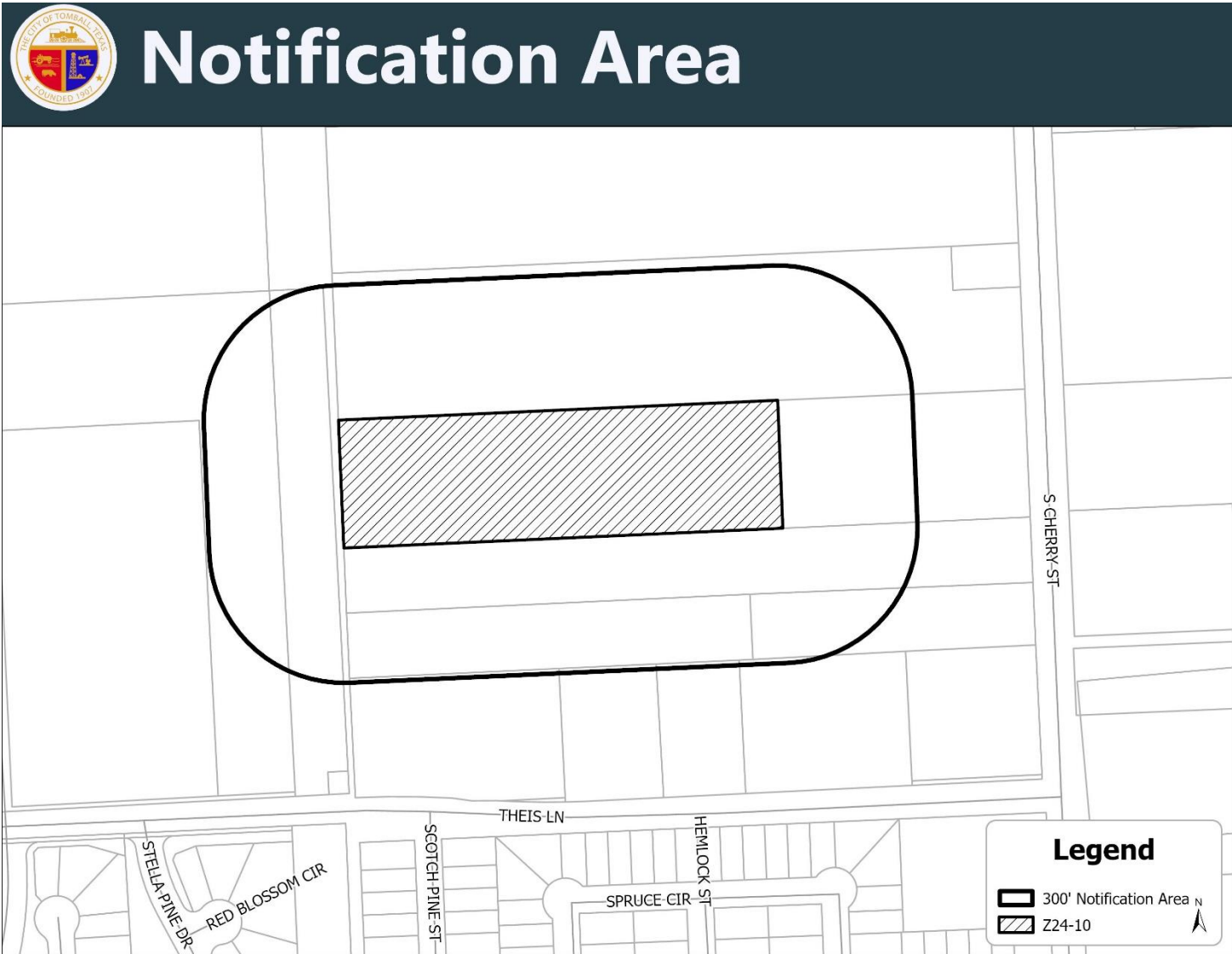
Additional Comments:

Signature: _____



*City of Tomball
Community Development Department*

Z24-10



For the PLANNING & ZONING COMMISSION
Please call (281) 290-1477 if you have any questions about this notice.

Item F.1

CASE #: Z24-10

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: TYKHE LLC
Parcel I.D.: 0352860002413
Address: 1730 CHERRY RD

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: blashley@tomballtx.gov

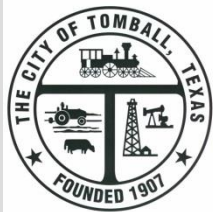
I am in favor

I am opposed

Additional Comments:

Signature: 

501 James Street • TOMBALL, TEXAS 77375



**Rezoning
Staff Report**

Planning & Zoning Commission Public Hearing Date: August 12, 2024
City Council Public Hearing Date: August 19, 2024

Rezoning Case: Z24-010

Property Owner(s): TYKHE, LLC

Applicant(s): JLS Real Estate

Legal Description: Portions of Lot 187 & Tracts 188, 191A, and 192A of Tomball Outlots within the Jesse Pruitt Survey, Abstract 629

Location: 1730 South Cherry Street (Exhibit “A”)

Area: 6.500 acres

Comp Plan Designation: Business Park and Industrial (Exhibit “B”)

Present Zoning: Commercial (C) District (Exhibit “C”)

Request: Rezone from the Commercial (C) to the Light Industrial (LI) District

Adjacent Zoning & Land Uses:

- North:** Light Industrial (LI) / Vacant lot
- South:** Commercial (C) / Professional office
- East:** Commercial (C) / Corporate office and new office/warehouse development
- West:** Agricultural (AG) / Drainage ditch (M121)

BACKGROUND

The subject property currently houses the BLTI, an Inframark Company, headquarters and includes 6.500 acres of undeveloped land to the west. The entire property was rezoned from the Agricultural (Ag) to Commercial (C) district in 2009. The applicant is requesting to rezone the undeveloped portion to Light Industrial (LI) in anticipation of acquiring this subdivision of land. This request aims to allow for the development of a multibuilding trade park that has the most expansive range of potential tenants. The adjacent undeveloped lot to the north was rezoned from the Agricultural (AG) to Light Industrial (LI) district in 2011.

ANALYSIS

Comprehensive Plan Recommendation: The property is designated as “Business Park and Industrial” by the Comprehensive Plan’s Future Land Use Map. The Business Park and Industrial category is intended to be located near adequate thoroughfares which provide convenient access for vehicular traffic including freight.

According to the Comprehensive Plan land uses should consist of offices, warehousing, light manufacturing (with indoor operations), breweries/distilleries, equipment sales, contractor services, and corporate campuses. Appropriate secondary uses include utility services, government facilities, and transportation/freight uses.

The Comprehensive Plan identifies the following zoning districts as compatible with the Business Park and Industrial category: Light Industrial (LI), Commercial (C), Office (O), and Planned Development (PD).

The Comprehensive Plan identifies the need to carefully design sites that are adjacent to non-business park and industrial districts to include landscape buffering as well as the screening of outdoor storage and equipment from public rights-of-way.

Staff Review Comments: The request to rezone the subject property to Light Industrial (LI) is in conformance with the Future Land Use Plan’s goal and objective to establish an acclaimed Industrial District within Tomball. Furthermore, the subject property will have frontage onto S. Cherry Street which is designated as a Minor Arterial on Tomball’s Major Thoroughfare Plan. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected within an Industrial district. The approval of the requested zoning will promote a new development that is consistent with the type of development patterns and character endorsed by the Future Land Use Plan for this area.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site were mailed notification of this proposal on July 15, 2024. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case Z24-010.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan
- C. Zoning Map
- D. Site Photos

Exhibit "A"
Aerial Location Map



Location



Legend

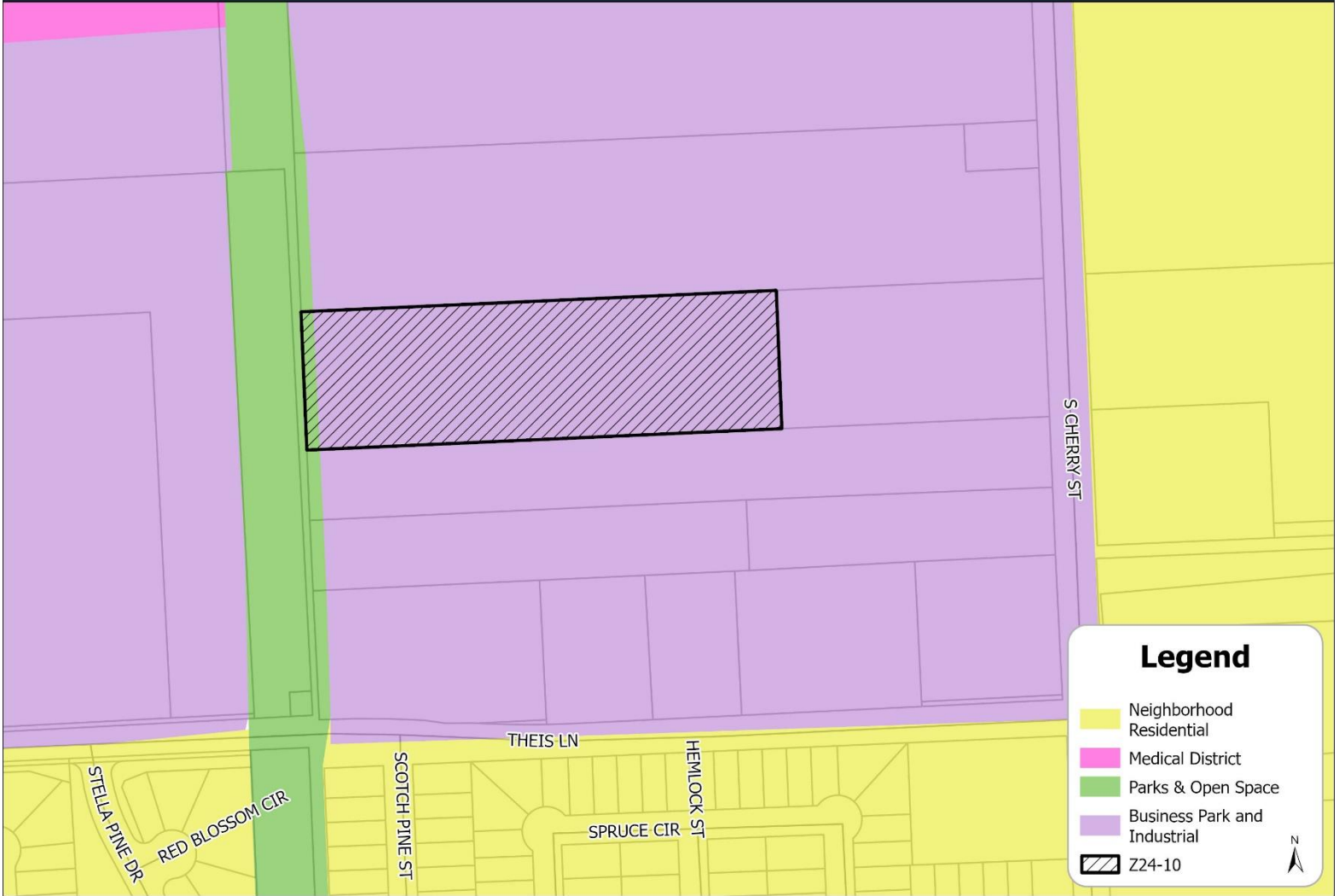
 Z24-10



Exhibit "B" Future Land Use Plan



Future Land Use



Legend

- Neighborhood Residential
- Medical District
- Parks & Open Space
- Business Park and Industrial
- Z24-10

Exhibit "C" Zoning Map

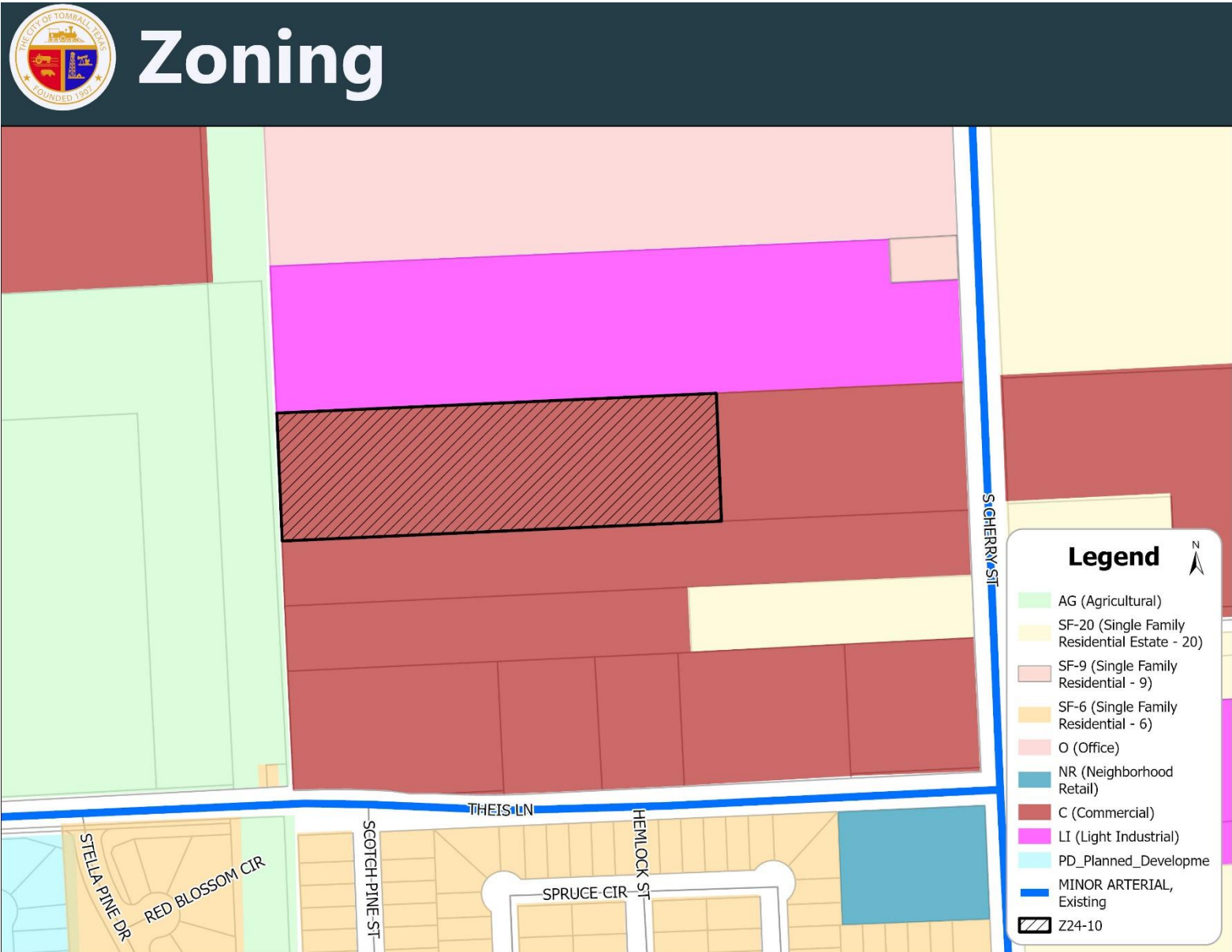


Exhibit "D"
Site Photo(s)

Subject Site



Neighbor (North)



Neighbor (South)



Neighbor (East)



Neighbor (East)



Neighbor (West)



Exhibit "E" Rezoning Application

DocuSign Envelope ID: 506442AA-9A51-42B7-8443-6B7682ADF5A1



Revised: 08/25/2023

APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION REQUIREMENTS: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

FEES: Must be paid at time of submission or application will not be processed.

- \$1,000.00 fee for requests to rezone to standard zoning districts
- \$1,500.00 fee for request to rezone to Planned Development districts.

DIGITAL APPLICATION SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: ci-tomball-tx.smartgovcommunity.com

Applicant

Name: JLS REAL ESTATE Title: Developer
 Mailing Address: 11755 W Little York Road Ste. 900 City: Houston State: Texas
 Zip: 77041 Contact: JOSHUA LASS-SUGHRUE
 Phone: (713) 2984596 Email: jls@jlsinv.com

Owner

Name: TYKHE LLC Title: _____
 Mailing Address: 24797 RED OAK ST City: Magnolia State: Texas
 Zip: 77355 Contact: Bob Lee
 Phone: (281) 9328462 Email: reemagnolia@outlook.com

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
 Mailing Address: _____ City: _____ State: _____
 Zip: _____ Contact: _____
 Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: S CHERRY TRADE PARK

Physical Location of Property: 1730 CHERRY RD
 [General Location – approximate distance to nearest existing street corner]

Legal Description of Property: 0352860002413 1730 CHERRY RD
 [Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: (C): Commercial

Revised: 08/25/2023

Current Use of Property: Land

Proposed Zoning District: (LI) : Light Industrial

Proposed Use of Property: Industrial Buildings

HCAD Identification Number: 0352860002413

Acreage: Approx 6.5 ACRES
Plus Access Easements

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

[Signature] 7/3/2024
 X Signature of Applicant Date

Robert M. Lee
 X Signature of Owner Date

See Attached exhibit
of survey

Revised: 08/25/2023

Submittal Requirements

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

- **Application Fee: \$1,000.00 (standard zoning) or \$1,500.00 (PD zoning)**
- **Completed application form**
- ***Copy of Recorded/Final Plat**
- **Letter stating reason for request and issues relating to request**
- **Conceptual Site Plan (if applicable)**
- **Metes & Bounds of property**
- **Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below:**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

***Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an unplatted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

Revised: 08/25/2023

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (200) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

FAILURE TO APPEAR: It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.

Exhibit A
Survey



WD
ETC
M

ER 011 - 39 - 1051

UNOFFICIAL COPY

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: APRIL 15, 2009

Grantor: FNR, LLC, a Texas limited liability company

Grantor's Mailing Address: 7020 Portwest Dr. #100
Houston, TX 77024

Grantee: TYKHE, LLC

Grantee's Mailing Address: 13171 Misty Willow Dr.
Houston, TX 77070

1EE

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration and the further consideration of a note of even date that is in the principal amount of TWO HUNDRED TWENTY-ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$221,500.00) and is executed by Grantee, payable to the order of WELLS FARGO BANK, NATIONAL ASSOCIATION. The note is secured by a vendor's lien retained in favor of WELLS FARGO BANK, NATIONAL ASSOCIATION, in this deed and by deed of trust of even date, from Grantee to STEPHEN F. MARQUART, Trustee.

ASGN
1OR
1EE

WELLS FARGO BANK, NATIONAL ASSOCIATION, at Grantee's request, having paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described, the vendor's lien and superior title to the property are retained for the benefit of WELLS FARGO BANK, NATIONAL ASSOCIATION, and are transferred to WELLS FARGO BANK, NATIONAL ASSOCIATION, Houston Hedwig, 8800 Katy Freeway, Houston, TX 77024 without recourse on Grantor.

Property (including any improvements):

A 10.175 acres of land, being all of Lots One Hundred Eighty-Seven (187), One Hundred Eighty-Eight (188) and a tract of land being out of and a part of Lots One Hundred Ninety-One (191) and One Hundred Ninety-Two (192) of TOMBALL TOWNSITE, an addition in Harris County, Texas according to the map or plat thereof recorded in Volume 2, Page 65 of the Map Records of Harris County, Texas, and being more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated herein, for all intents and purposes

D

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2009, which Grantee assumes and agrees to pay.

Warranty Deed with Vendor's Lien
S-09114400
Page 1 148/JM


INITIAL

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

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

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

Executed on the date as set out in the acknowledgment, but made EFFECTIVE as of the date first above written.

ER 011 - 39 - 1052

FNR, LLC

10R

By: Frederick W. Haughton
Name: Frederick W. Haughton
Title: Manager

THE STATE OF TX §
COUNTY OF Harris §

This instrument was acknowledged before me on this the 16 day of April, 2009, by Frederick W. Haughton Manager of FNR, LLC, a Texas limited liability company, on behalf of said company.

Jane Mathews
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

TyKhe, LLC
13171 Misty Willow Dr.
Houston TX 77070



EXHIBIT A

Field Notes for a 10.175 acre tract of land, being the same 10.2014 acre tract of land described under Harris County Clerk's File Numbers S832034, Tract II, S129869 and Volume 7483, Page 364 of the Deed Records of Harris County, Texas and being all of Outlot 187, the residue of Outlot 188 and a tract of land out of and a part of Outlots 191 and 192, of Tomball Township, an Addition in Harris County, situated in the Jesse Pruitt Survey, Abstract Number 629, according to the Map or Plat thereof recorded in Volume 2, Page 65, of the Map Records of the Said County and State. All bearings and coordinates are referred to the Texas Coordinate System of 1983, South-Central Zone, defined in the Texas Natural Resources Code, Section 20.071, Et. Seq. and are based on the published position (2001 Adj.) of COOPERATIVE CORS STATION WLA 1, to convert grid distance to surface distance multiply by a combination scale factor of 0.99951143; said 10.175 acres being more particularly described by metes and bounds as follows:

BEGINNING: at a found 5/8 inch iron rod having coordinates of X = 3,040,066.717 and Y = 13,955,362.166 for the Southeast corner of the herein described tract, the Northeast corner of a 1.00 acre tract of land described under Harris County Clerk's File Number N076467, the Southeast corner of the said 10.2104 acre tract of land and also being in the West right-of-way line of South Cherry Street, based on 80' width;

THENCE: South 87° 29' 11" West, passing at a distance of 599.83 feet, a found 1/2 inch iron rod, with the South line of the said 10.2014 acre tract of land, the North line of the said 1.00 acre tract of land and the North line of a 8.1984 acre tract of land known as "Swinghammer Tract" recorded under Harris County Clerk's File Number R892532 and Film Code Number 376131 of the Map Records of the said County and State and continuing for a total distance of 1530.58 feet to a found 1/2 inch iron rod for the Southwest corner of the herein described tract, the Southwest corner of the said 10.2014 acre tract of land, the Northwest corner of the said 8.1984 acre tract of land and being in the East right-of-way line of a 30 foot Dedicated Unimproved Road of the said Tomball Township;

THENCE: North 02° 32' 28" West, a distance of 288.70 feet, with the said East right-of-way line of the 30 foot Dedicated Unimproved Road, the West line of the said Outlots 191 and 187, the West line of the said 10.2014 acre tract of land to a set 3/4 inch iron rod with plastic cap for the Northwest corner of the herein described tract, the Northwest corner of the said 10.2014 acre tract of land, the Northwest corner of said Outlot 187 and the Southwest corner of Outlot 183 and from said corner a found 5/8 inch iron rod bears North 87° 25' 15" East a distance of 0.80 feet;

THENCE: North 87° 25' 15" East, a distance of 1630.76, with the South line of the said Outlot 183, the South line of Outlot 184, the North line of the said 10.2014 acre tract of land, the North line of the said Outlots 187 and 188 to a set 3/4 inch iron rod with plastic cap for the Northeast corner of the herein described tract, the Northeast corner of the said 10.2014 acre tract of land and also being in the said West right-of-way line of South Cherry Street and from said corner a found 5/8 inch iron rod bears South 87° 25' 15" West, a distance of 0.56 feet;

THENCE: South 02° 29' 55" East, a distance of 290.45 feet, with the said West right-of-way line of South Cherry Street and the East line of the said 10.2014 acre tract of land, to the PLACE OF BEGINNING and containing 10.175 acres.

This is to certify that this description of land represents an actual survey made on the ground under my supervision, as shown by the accompanying plat and substantially complies with the current Texas Society of Professional Land Surveyors Standards and Specifications for a Category 1A, Condition III, Survey.

ER 011 - 39 - 1053

ER 011 - 39 - 1054

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04/20/2009 09:31:37 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
BEVERLY KAUFMAN
COUNTY CLERK
Fees 24.00

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.



Beverly Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS



REZONING REQUEST LETTER

City of Tomball – Planning Department
Application for Rezoning

Applicant: JLS Real Estate

Property: 1730 CHERRY RD

Project: S CHERRY TRADE PARK

The applicant is requesting to have the property referenced in the application rezoned for (LI) Light Industrial. Approximately 6.5 acres plus access easements developed in a trade park similar to the flyer attached (EXHIBIT A).

The referenced property is currently zoned (C) Commercial and is vacant.

820 Gessner Ste 140 Houston, TX 77024
11755 West Little York Ste #900
(832) 559-2919

FOR LEASE

WEST LITTLE YORK
TRADE PARK – BLD 2

11755 W LITTLE YORK RD, HOUSTON, TX 77041



BUILDING 2 FEATURES

- LEASE RATE: \$1.10 PSF/MO NNN
- ±7,700 TOTAL BUILDING SF
- ±1,000 SF OFFICE
- NEW CONSTRUCTION
- IN 15-BLDG INDUSTRIAL PARK
- STEEL CONSTRUCTION
- FREE STANDING BUILDING
- CRANE READY
- FENCED CONCRETE YARD
- 26' EAVE HEIGHT
- 3-PHASE 480V 200A POWER
- (2) 16' x 16' GRADE LEVEL DOORS



FOR MORE INFORMATION

JOSHUA LASS-SUGHRUE
FOUNDER
OFFICE: (832) 821-5197
MOBILE: (713) 298-4596
JLS@JLSINV.COM
JLSINV.COM

PERRY OSTER
SENIOR ADVISOR
OFFICE: (832) 915-2550
MOBILE: (713) 492-7387
PERRY.OSTER@JLSCRE.COM
JLSINV.COM

The information contained herein has been given to us by the owner of the property or other sources we deem reliable, we have no reason to doubt its accuracy, but we do not guarantee it. All information should be verified prior to purchase or lease.

WEST LITTLE YORK TRADE PARK – BUILDING 2



FOR MORE INFORMATION

JOSHUA LASS-SUGHRUE
FOUNDER
OFFICE: (832) 821-5197
MOBILE: (713) 298-4596
JLS@JLSINV.COM
JLSINV.COM

PERRY OSTER
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WEST LITTLE YORK TRADE PARK – BUILDING 4



FOR MORE INFORMATION

JOSHUA LASS-SUGHRUE
FOUNDER
OFFICE: (832) 821-5197
MOBILE: (713) 298-4596
JLS@JLSINV.COM
JLSINV.COM

PERRY OSTER
SENIOR ADVISOR
OFFICE: (832) 915-2550
MOBILE: (713) 492-7387
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