ATTACHMENT NO. 1

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.

CONSENT TO ENCROACH AGREEMENT

STATE OF TEXAS	}	
COUNTY OF GALVESTON	}	

WHEREAS, the BAY COLONY PARKSIDE COMMUNITY ASSOCIATION, (hereinafter the "Grantee", whether one or more), is the owner of record Restricted Reserves "A" and "D", Bayview, Section 3, Amending Plat, in the Perry & Austin League, Abstract No. 19, Galveston County, Texas, according to the plat thereof recorded under Plat Record , Map Numbers and , Galveston County Map Records; and

WHEREAS, by virtue of said plat of Bayview, Section 3, Amending Plat, that certain 60-foot road right-of-way known as Birchwood Way Lane, together with 10-foot utility easements encumbering said Restricted Reserves "A" and "D", have been dedicated to the public; and

WHEREAS, Grantee desires to construct private irrigation and landscaping improvements (hereinafter "Permitted Encroachments") within the dedicated Birchwood Way Lane right-of-way and adjacent 10-foot utility easements encumbering said Restricted Reserves "A" and "D"; and

WHEREAS the locations of the proposed Permitted Encroachments are more specifically depicted upon Exhibit "A" attached hereto; and

WHEREAS, prior to the construction or installation of the Permitted Encroachments, Owner shall submit properly engineered plans to the City for review, approval, and permitting, and construction shall not occur until such plans have been approved.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the City of League City, Texas (the "City") hereby consents to Grantee's Permitted Encroachments within the dedicated Birchwood Way Lane right-of-way and adjacent 10-foot utility easements encumbering said Restricted Reserves "A" and "D", subject to the terms and conditions hereinafter set forth.

TERMS AND CONDITIONS:

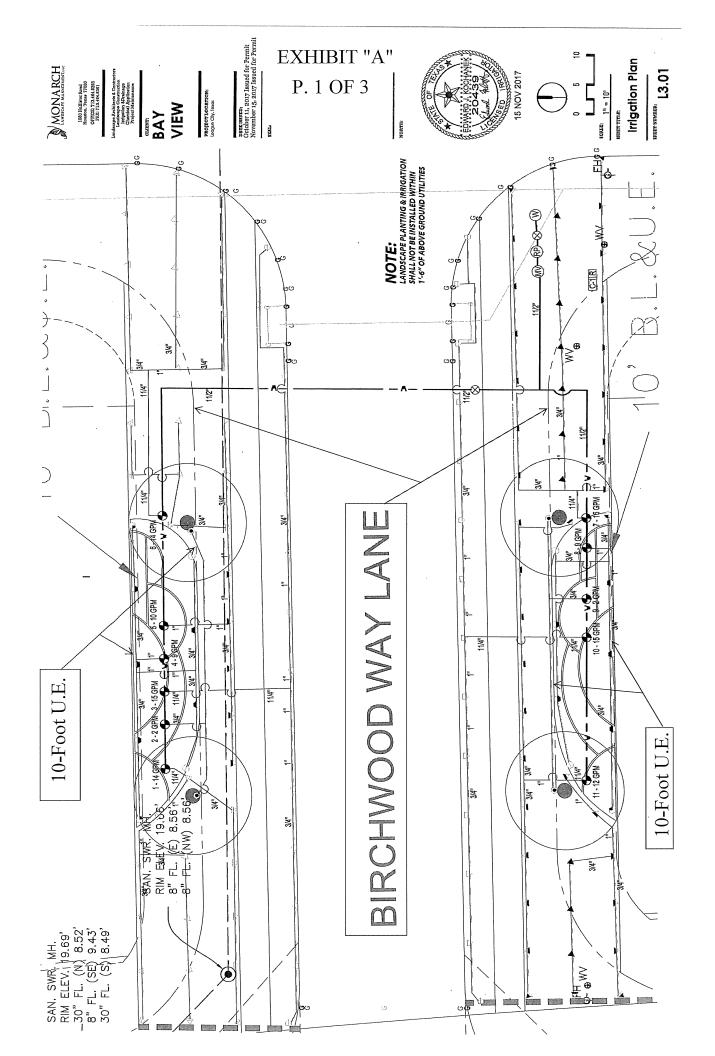
1. Grantee, Grantee's successors, heirs, or assigns hold the City harmless from all claims, lawsuits, costs, and damages for any person or property arising out of or in any way connected with the maintenance and use of said Permitted Encroachments, except

- where such injuries or damages are caused solely by the negligence of the City, its agents, or employees;
- 2. If the City, its successors, assigns or grantees, shall at any time and in its sole discretion determine that it is necessary to do so for the purpose of maintaining City facilities, it shall be privileged to remove or alter the above-mentioned Permitted Encroachments and which the City agrees to restore as nearly as is practical to their former condition, all at Grantee's cost. Grantee, its successors, and assigns, hereby releases the City from any and all liability for damage caused to the Permitted Encroachments by any such removal, altering and restoring. Grantee, its successors and assigns further releases the City from any and all liability for loss of or damage to the Permitted Encroachments which may be caused by, result from or be related to the presence or malfunctioning of the City's facilities, regardless of whether its negligence may contribute to such loss or damage.
- 3. The City may, at its sole discretion, terminate this consent to encroach by giving Grantee, its successors, assigns, agents or licensees written notice of such termination. Such written notice of termination shall be delivered by U. S. Postal Service certified mail delivery. Upon receipt of such notice, Owner, Owner's successors, assigns, agents or licensees shall have sixty (60) calendar days to cause the removal of said Permitted Encroachments. If the Permitted Encroachments have not been removed within said 60 days, the City may cause the removal the Permitted Encroachments, the cost of which removal by the City shall be solely borne by Grantee, Grantee's successors, assigns, agents, or licensees, and which cost may be attached as a lien against Grantee's property described above.
- 4. The exercise and enjoyment, by Grantee's successor, assigns, agents or licensees, of their rights and privileges to which the City has herein granted its consent to encroach shall constitute affirmative acceptance by such successors, assigns, agents or licensees of the terms herein contained; provided, however, that the City reserves the right to require that any such successor, assign, agent, or licensee further signify in a recordable instrument acceptance of such terms and conditions, and should any such successor, assign, agent or licensee refuse upon written request to execute such instrument, the rights and privileges herein consented to shall thereupon automatically terminate.
- 5. Grantee has or shall submit construction drawings associated with the proposed Permitted Encroachments to the City Building Department for review and permitting prior to constructing the Permitted Encroachments. In no case shall any construction associated with the Permitted Encroachments take place a building permit is obtained from the City Building Department. The proposed improvements shall conform to the minimum design criteria set forth in all applicable State, County, and City statutes, ordinances, codes, and policies.
- 6. As part of the documentation necessary to obtain the building permit for the Permitted Encroachments, Grantee shall be solely responsible for obtaining all consents to

encroach or letters of no object from any of the City's franchised utilities which may be co-occupying the dedicated public right-of-way or dedicated 10-foot utility easements; and (ii) all costs associated with the relocation or abandonment of any City or franchised utilities infrastructure or service lines, if necessary.

For the City of League City, Texas:	
EXECUTED thisday of	, 2017.
By: John Baumgartner	
John Baumgartner City Manager	
ACKN	NOWLEDGMENT
STATE OF TEXAS } COUNTY OF GALVESTON }	
known to me or having proved to me t	this day personally appeared John Baumgartner, o be the person whose name is subscribed to the to me that he executed the same for the purposes
	Notary Public, State of Texas
	My Commission Expires:
APPROVED AS TO FORM:	
Nghiem Doa	n, City Attorney

For Grantee (Bay Colony Parkside	e Community Ass	sociation):
EXECUTED this	_day of	, 2017.
By:Printed Name: Printed Title:		
	ACKNOWLE	DGMENT
STATE OF TEXAS COUNTY OF GALVESTON	}	
known to me or having proved	to me to be the wledged to me th	rsonally appeared, e person whose name is subscribed to the nat he executed the same for the purposes
	Notar	y Public, State of Texas
	My C	Commission Expires:



Jandesapo Archilocto & Contractora Landesapo Construción Irifation & Drainago Chemical Application Project Manitenanco DATE ISSUED: October 11, 2017 Issued for Permit 1850 Hollister Road Houston, Toxes 7708D OFFICE: 713,464,9283 FAX: 713,464,6361 PROJECT LOCATION; League Clly, Texas VIEW BAY

EXHIBIT "A" P. 2 OF 3



NORTH:

SCRIE: N.T.S.

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Irrigation	70 00 0

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SCLAR-SYNC ET SENSOR, MOUNT TO ENCLOSURE AND WIRE TO CONTROLLER.	4	
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14ANS DIRECT BURIAL IRRIGATION CONTROL WRE	NA	
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HCV SERIES ADJUSTABLE CHECK VALVE, USED ON ALL SPRINKLERS WITH LOW HEAD DRAINAGE UNCONTROLLYBLE BY FACTORY INTEGRAL	WA	

AS APPROVED AS APPROVED

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1812-SAN-PRS POP-UP SHRUB HEAD w/ U10 NO22LE 812-SAM-PRS POP-UP SHRUB HEAD w/ U15 NOZZLE

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B12-SAM-PRS POP-UP SHRUB HEAD w U12 NOZZI

812-SAM-PRS POP-UP SHRUB HEAD w/ UB NOZZLE

IB12-SAM-PRS POP-UP SHRUB HEAD w/5 NOZZLE

.49, .48, 1.21

812-SANFPRS POP-UP SHRUB HEAD w/ 15RCS/15LCS/15SST NO2ZLE

NO SYMBOL

JW.

NO SYMBOL NO SYMBOL NOT SHOWN

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RAIN BIRD

NO SYMBOL

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.39, .52, .78, 1.57. .85, .67, 1.1, 2.8 .93, 1.23, 1.85, 3.70 .49, .49, 1.21

806-SAM-PRS POP-UP TURF HEAD w/ 16RCS/15LCS/15SST

806-SAM-PRS POP-UP TURF HEAD of UIS NOZZLE

1806-SAM-PRS POP-UP TURF HEAD W U10 NOZZLE

RAIN BIRD RAIN BIRD RAIN BIRD RAIN BIRD

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BOS-SAMPRS POP-UP TURF HEAD w/ US NOZZIE 806-SAVLPRS POP-UP TURF HEAD w U12 NOZZLJ

1805-SAMPRS POP-UP TURF HEAD w/ 5 NOZZLE

.10..13,.20

IRRIGATION MATERIAL LEGEND

MONARCH LANDSCAFE MANAGEMENT.LIC

DETAIL ¥M.

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 - THE CONTRACTOR SHALL OBTAIN THE PERTINENT ENGINEERING OR ARCHITECTURAL PLANS BEFORE BEGINNING WORK.
- THIS DESIGNIS DIAGRAMANTIG. ALL EQLIPMENT SHOWN IN PAVED AREAS IS FOR DESIGN CLARITY ONLY AND IS TO BE INSTALLED WITHIN PLAKTING AREAS. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS REQUIRED TO PERFORM THE WORK INDICATED HEI BEFORE BEGINNING WORK.
 - THE CONTRACTOR SHALL NOT MILEULY INSTALL ANY EQUIPMENT AS SHOWN ON THE PLANS WHEN IT IS GONOLS. IN THE PLANS WHEN IT SHOUNDLYS SERVE THAT WHEN EVEN DENET IT THE PROPAGE. ANY SHOLD CHARLON SHOUNDLYS SHALL BE BROUGHT TO THE MITHOUN OF THE OWNER REPRESENTANT BROWNED CHARLON SHOUNDLYS SHALL BE BROUGHT TO THE MITHOUN OF THE OWNER REPRESENTANT BROWNED CHARLON SHOUNDLYS SHALL ASSURE AT LES PONSIBILITY FOR ANY FIELD.

 - 7. INSTALL ALL EQUIPMENT AS BHOWN IN THE DEFAILS AND SPECIFICATIONS. CONTRACTOR SHALL BE RESPONSIBLE TO COMPLY WITH LOCAL CITY, COUNTY AND STATE REQUIREMENTS FOR BOTH EQUIPMENT AND INSTALLATION.
 - ACTUAL LOCATION FOR THE INSTALLATION OF THE BACKTLOW PREVENTER AND THE AUTOMATIC CONTROLLER IS TO BE DETERMINED IN THE FIELD BY THE OWNER'S AUTHORIZED REPRESENTATIVE.
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 - CONTRACTOR SHALL INSTALL ADDITIONAL CHECK VALVES TO HEADS AND LATERALS AS REQUIRED TO PREVENT LOW HEAD DRAINAGE.
 - THE CONTRACTOR SHALL USE PROPER GROUNDING TECHNIQUES FOR GROUNDING THE CONTROLLER AND RELATED EQUIPMENT PER MANUFACTURERS SPECIFICATIONS.

FINISH GRADE RP DEWCE SEE LEGEND FOR SPECIFICATION

Landzcapo Architects & Contractors Landzcapo Construction Irrigation & Drainago Ghemical Application Project Mathenance 1850 Hollister Road Heuslen, Texas 77080 OFFICE: 713.464,8283 FAX: 713.464,8361

VIEW BAY

PROJECT LOCATION: League Cily, Texas

EXHIBIT "A" DATE ISSUED:
October 11, 2017 Issued for Pernit P. 3 OF 3



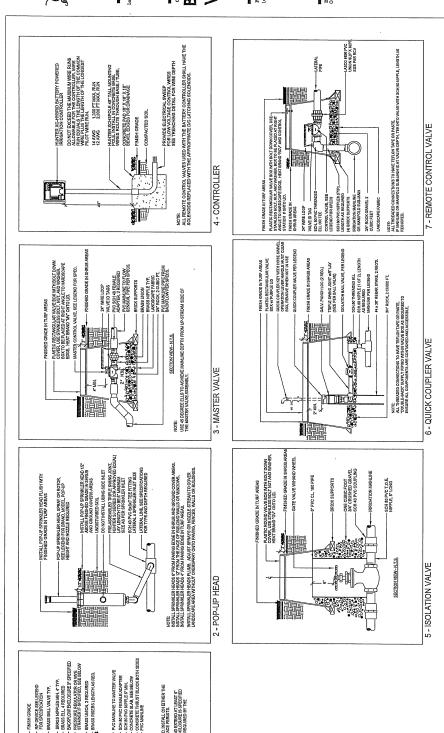
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Irrigation

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1 - BACKFLOW

SECTION VIEW - N.T.S.