

PETITION FOR CONSENT TO ANNEX LAND INTO
GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 45

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LEAGUE
CITY, TEXAS:

The undersigned, GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 45 (the "District"), and LEAGUE CITY 210 DEVELOPMENT PARTNERS LP, a Delaware limited partnership (the "Petitioner"), acting pursuant to the provisions of Chapter 49, Texas Water Code, particularly Section 49.301 of that Code, together with all amendments and additions thereto, respectfully petition the City Council of the CITY OF LEAGUE CITY, TEXAS (the "City"), for its written consent to the annexation by the District of the 5.04 acre tract of land described by metes and bounds in **Exhibit A** (the "Land"), which is attached hereto and incorporated herein for all purposes. In support of this petition, the undersigned would show the following:

I.

The District is a municipal utility district duly created under the laws of the State of Texas on October 21, 2004. The District was created and organized under the terms and provisions of Article XVI, Section 59, of the Constitution of Texas, and is governed by the provisions of Chapters 49 and 54, Texas Water Code.

II.

The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Galveston Central Appraisal District.

III.

The Petitioner represents that there are no lienholders on the Land.

IV.

The Land is situated wholly within Galveston County, Texas. All of the Land is within the corporate limits of the City. All of the Land may properly be annexed into the District.

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

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3200 SOUTHWEST FREEWAY
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HOUSTON, TEXAS 77027
TEL (713) 860-6400
FAX (713) 860-6401
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Direct Line: (713) 860-6427
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yonakr@abhr.com

Yvonne Onak
Legal Assistant

January 22, 2018

BY FEDERAL EXPRESS

Ms. Diana Stapp
City Secretary
300 West Walker
League City, Texas 77573

Re: Galveston County Municipal Utility District No. 45 (the "District") -
Annexations

Dear Ms. Stapp:

The District requests City of League City's (the "City") consent to the annexation of 5.04 acres into the District. Enclosed are the following documents:

1. Petition for Consent to Annex land owned by League City 210 Development Partners LP; and
2. Survey of land to be annexed.

The purpose of this petition is to add the land into the District. We respectfully request that you let us know when the petition will be presented to City Council for approval.

If you have any questions regarding the enclosures or if you need additional information, please call or email me at (713) 860-6427 or yonak@abhr.com.

Sincerely,



Yvonne Onak
Legal Assistant

Ms. Diana Stapp
January 22, 2018
Page 2 of 2

Enclosures

cc: Mr. Jack Carter (By email: jack.carter@dannenbaum.com) w/enclosures
Dannenbaum Engineering Corp.
3100 West Alabama
Houston, TX 77098-2094

Mr. Greer Pagan (Firm)

Ms. Hope Jeffers (Firm)

V.

The general nature of the work to be done within the Land is the construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system, and a drainage and storm sewer system.

VI.

There is, for the following reasons, a necessity for the above-described work. The Land, which will be developed for commercial and/or residential purposes, is urban in nature, is within the growing environs of the City, is in close proximity to populous and developed sections of Galveston County, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate waterworks and sanitary sewer system nor an adequate drainage system, and it is not presently economically feasible for the Land to provide for such systems itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate waterworks and sanitary sewer system, and a drainage and storm sewer system, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system, and such drainage and storm sewer system, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

The undersigned estimate, from such information as they have at this time, that the cost of extending the District's facilities to serve the Land is \$129,310.16.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED on this 18th day of December, 2017.

**GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 45**

By: Cheryl Leonard
Name: Cheryl Leonard
Title: President

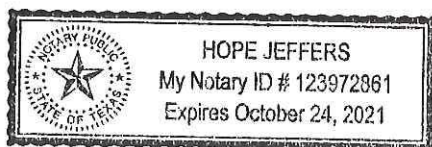
ATTEST:

By: Katrina Cox
Name: Katrina Cox
Title: Secretary



THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

This instrument was acknowledged before me on this 18th day of December, 2017, by Cheryl Leonard, as President, and Katrina Cox, as Secretary, of the Board of Directors of GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 45, a political subdivision of the State of Texas, on behalf of said political subdivision.



(NOTARY SEAL)

Hope Jeffers
Notary Public, State of Texas

LEAGUE CITY 210 DEVELOPMENT PARTNERS
LP, a Delaware limited partnership

By: League City 210 GP, Inc., an Ontario
corporation, its General Partner

By: 

Name: Andrew Guizzetti

Title: Treasurer

THE STATE OF TEXAS

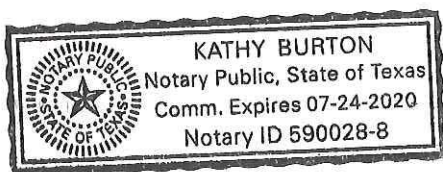
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COUNTY OF HARRIS

§

§

This instrument was acknowledged before me on this 18TH day of
DECEMBER, 2017, by Andrew Guizzetti, Treasurer
of League City 210 GP, Inc., an Ontario corporation, General Partner of LEAGUE CITY
210 DEVELOPMENT PARTNERS LP, a Delaware limited partnership, on behalf of said
limited partnership and said corporation.



(NOTARY SEAL)


Notary Public, State of TEXAS

Attachment:

Exhibit A: Description of the Land

Exhibit A

LEGAL DESCRIPTION OF LAND

All of that certain 5.04 acres (219,401 square feet) tract or parcel situated in the JOHN NILES SURVEY, Abstract Number 153, Galveston County, Texas, and being the same tract, called 5.0 acres, described in that certain General Warranty Deed from Maxine E. Ford to Michael A. Pointer and Wanda Kay Painter recorded in Clerk's File Number 9352253 of the Official Public Records of Real Property of Galveston County, Texas, said 5.04 acres tract being more particularly described by metes and bounds as follows:

BEARINGS ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM (NAD 83).

COMMENCING at on Iron rod with cap stamped "GeoSurv" found marking the Southeast corner of MAR BELLA, SECTION 12-B, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded under Plat Record 2013A, Map Numbers 81-82 in the Office of the County Clerk of Galveston County, Texas, said point being at the Northwest line of said JOHN MILES SURVEY;

THENCE, S 49°44'55" W, along the Northwest line of said JOHN MILES SURVEY, at 791.89 feet passing on iron rod with cap stamped "GeoSurv" found marking the most Southerly corner of sold MAR BELLA, SECTION 12-B, said point also being the most Easterly corner of MAR BELLA, SECTION 12-A, a Subdivision in Galveston County, Texas, recorded under Plat Record 2012A, Map Numbers 103-104 in the Office of the County Clerk of Galveston County, Texas, and continuing for a total distance of 1398.86 feet to a 5/8 Inch Iron rod with cap stamped "GeoSurv" set marking the POINT OF BEGINNING of the herein described tract, said point being the most Northerly corner of sold Painter tract and the most Westerly corner of a called 5.0 acres tract described in that certain Warranty Deed with Vendor's Lien from Jesse Eugene Ford to Alonzo Munoz and Wilma A. Munoz recorded in Clerk's File Number 9829886 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE, S 40°15'05" E, a distance of 664.93 feet (called 664.7 feet) to a 5/8 inch iron rod with cap stamped "GeoSurv" set marking the most Easterly corner of both the herein described tract and of said Painter tract, said point being the most Southerly corner of Munoz tract and also being at the North line of a called 61.12 acres tract described in that certain General Warranty Deed from Binnacle Development & Construction, LLC to Englewood Land Investments, LP recorded in Clerk's File Number 2014067639 of the Official Public Records of Galveston County, Texas;

THENCE, S 49°45'31" W, a distance of 330.03 feet (called 327.7 feet) to an 1/2 inch iron rod found for the most Southerly corner of both the herein described tract and of said Painter tract, said point also being a reentrant corner of said 61.12 acres tract;

THENCE, N 40°14'29" W, a distance of 664.87 feet (called 664.7 feet) to an iron rod with cap stamped "GeoSurv" found marking the most Westerly corner of both the herein described tract

and of said Pointer tract, said point being the most Northerly corner of said 61.12 acres tract, being at the Northwest line of said JOHN MILES SURVEY, being at the Southeast line of said MAR BELLA, SECTION 12-A, and from which point a found 1/2 inch iron rod bears 89°37' E, 1.24 feet;

THENCE N 49°44'55" E, along the Northwest line of both said JOHN MILES SURVEY and of said Painter tract and the Southeast line of said MAR BELLA, SECTION 12-A, a distance of 329.92 feet (called 327.7 feet) to the POINT OF BEGINNING and containing within said boundaries a calculated area of 5.04 acres (219,401 square feet) of land.

CERTIFICATE

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

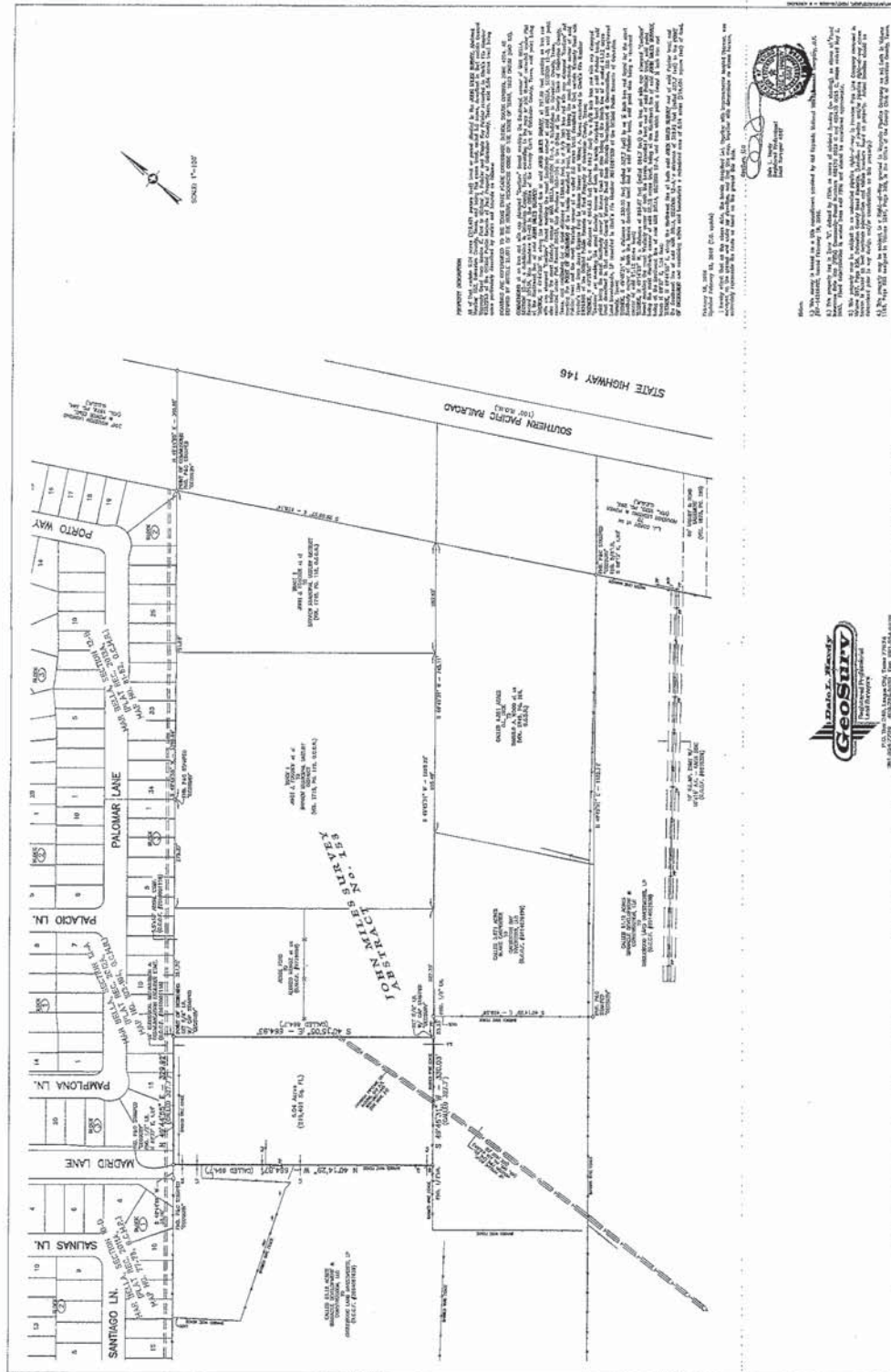
I, the undersigned Secretary of the Board of Directors of Galveston County Municipal Utility District No. 45, do hereby certify that the attached and foregoing is a true and correct copy of the Petition For Consent To Annex Land Into Galveston County Municipal Utility District No. 45 that was filed with the Board of Directors of the District on this 8th day of December, 2017.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on this 18th day of December, 2017.



GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 45

By: Katrina Cox
Secretary, Board of Directors



NOTARIAL PUBLIC
 STATE OF CALIFORNIA
 My commission expires on 12/31/2024
 I, _____, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of _____, State of California.



GeoSurety
 10000 Wilshire Blvd., Suite 1000
 Beverly Hills, CA 90210
 (310) 277-1000
 www.geosurety.com