

PETITION FOR CONSENT TO THE CREATION
OF A MUNICIPAL UTILITY DISTRICT

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

The undersigned (herein the "Petitioner"), acting pursuant to the provisions of Chapters 49 and 54, Texas Water Code, respectfully petitions the City Council of the City of League City, Texas (the "City"), for its written consent to the creation of a municipal utility district with road powers and would show the following:

I.

The name of the proposed District shall be Galveston County Municipal Utility District No. 73 (the "District").

II.

The District shall be created and organized under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54, Texas Water Code.

III.

The District shall contain an area of 786.55 acres of land, more or less, situated in Galveston County, Texas. All of the land to be included in the District is within the corporate limits of the City. All of the land proposed to be included may properly be included in the District. The land proposed to be included within the District consists of one tract described by metes and bounds in **Exhibit A**, which is attached hereto and incorporated herein for all purposes (the "Land").

IV.

Petitioner holds fee simple title to the Land. Petitioner hereby represents that he owns a majority in value of the Land, as indicated by the appraisal rolls of Galveston County, Texas.

V.

Petitioner represents that there are no lienholders on the Land other than ZB, N.A., doing business as, and formerly known as, Amegy Bank and that there are no residents on the Land.

VI.

The general nature of the work to be done by the District at the present time is the design, construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system, park and recreational facilities, and road facilities for domestic and commercial purposes, and the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate and amend local storm waters or other harmful excesses of waters, and such other construction, acquisition, improvement, maintenance and operation of such additional facilities, systems, plants and enterprises, as shall be consistent with all of the purposes for which the District is created.

VII.

There is, for the following reasons, a necessity for the above-described work. The area proposed to be within the District is urban in nature, is within the growing environs of the City, and is in close proximity to populous and developed sections of Galveston County, Texas. There is not now available within the area, which will be developed for single family residential and commercial uses, an adequate waterworks system, sanitary sewer system, or drainage and storm sewer system or park and recreational facilities or road facilities. The health and welfare of the present and future inhabitants of the area and of the territories adjacent thereto require the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of an adequate waterworks system, sanitary sewer system, and drainage and storm sewer system, park and recreational facilities, and road facilities. A public necessity, therefore, exists for the creation of the District, to provide for the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of such waterworks system, sanitary sewer system, and drainage and storm sewer system to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VIII

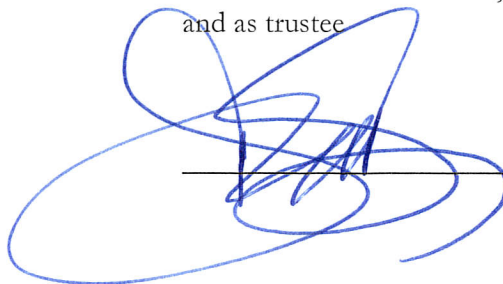
A preliminary investigation has been made to determine the cost of the proposed District's projects, and it is now estimated by the Petitioner, from such information as he has at this time, that such cost will be approximately \$136,245,000.

WHEREFORE, Petitioner prays that this petition be heard and that the City Council duly pass and approve an ordinance or resolution granting the consent to the creation of the District and authorizing the inclusion of the land described herein within the District.

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED this 31st day of May, 2018.

RICHARD K. DUNCAN, SR., individually
and as trustee

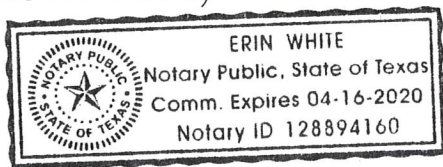


STATE OF TEXAS

COUNTY OF Harris

This instrument was acknowledged before me on the 31st day of May, 2018,
by Richard K. Duncan, Sr.

(NOTARY SEAL)



Erin White
Notary Public in and for the State of Texas

My commission expires: 4-16-2020

Attachment:

Exhibit A – Legal Description of the Land

EXHIBIT A

GALVESTON COUNTY MUD 73 786.55 NET ACRES

FIELD NOTES of a 794.20 acre tract of land situated in the I.R. Lewis Survey, Abstract No. 15, the Perry & Austin Survey, Abstract No. 19, the I.&G.N.R.R. Survey, Abstract No. 607, the C.W. Pressler Survey, Abstract No. 649 and the J.C. League Survey, Abstract No. 661, all being in Galveston County, Texas; said 794.20 acre tract of land being out of and a part of a called 1324.530 acre tract of land conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 2004015469 of the Official Public Records of Real Property of Galveston County, Texas (O.P.R.R.P.G.C.TX.); all of a called 32.3710 acre tract of land conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 9837102 of the O.P.R.R.P.G.C.TX.; all of a called 20.385 acre tract of land conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 9945972 of the O.P.R.R.P.G.C.TX.; all of a called 20.58 acre tract of land as conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 9700532 and 9700533 of the O.P.R.R.P.G.C.TX.; being out of and a part of a called 7.860 acre tract of land conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 9725281 of the O.P.R.R.P.G.C.TX. being out of and a part of a called 300.085 acre tract of land conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 9725279 of the O.P.R.R.P.G.C.TX.; being all of a called 27.44 acre tract of land as conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 2018008369 of the O.P.R.R.P.G.C.TX. and also being all of a called 41.65 acre tract of land as conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 2018008396 of the O.P.R.R.P.G.C.TX.; said 794.20 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone, as defined by Article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum (2007 Adjustment). All distances are actual distances. Scale factor = 0.99986895.

BEGINNING at the Northwest corner of this tract of land, the same being the Northwest corner of said 1324.530 acre tract of land as conveyed to Richard K. Duncan, Sr.; said point also being the Northeast corner of the Margene West Lloyd, et.al. called 1727.13 acre tract of land as recorded at Volume 1387, Page 384 of the Deed Records of Galveston County, Texas; from this corner a found pin and cap stamped "LJA ENG" bears N 37°18'04" W, 1.90 feet.

THENCE N 87°29'52" E with the North line of this tract of land a distance of 1793.72 feet to and angle point of this tract of land and being the Northwest corner of said 32.3710 acre tract of land as conveyed to Richard K. Duncan, Sr. and the Northwest corner of said 32.3710 acre tract of land as conveyed to Venture 2, LLC; said point also being the Northwest corner of the J.C.

League Survey, Abstract No. 661; from this corner a found pin and cap stamped "GeoSurv" bears N 01°12'12" W, 1.25 feet.

THENCE N 86°48'02" E with the North line of this tract of land a distance of 1899.05 feet to a found pin and cap stamped "GeoSurv" for an angle point of this tract of land; said point being the Northeast corner of said 32.3710 acre tract of land as conveyed to Richard K. Duncan, Sr., the Northeast corner of said 32.3710 acre tract of land as conveyed to Venture 2, LLC and also being the Northeast corner of the J.C. League Survey.

THENCE N 87°08'52" E with the North line of this tract of land a distance of 1457.88 feet to an angle point of this tract of land and the Northwest corner of said 20.385 acre tract of land.

THENCE N 87°05'49" E with the North line of this tract of land a distance of 703.11 feet to angle point of this tract of land and the Northeast corner of said 20.385 acre tract of land and also being the Northwest corner of said 20.58 acre tract of land.

THENCE N 87°07'55" E with the North line of this tract of land a distance of 708.33 feet to angle point of this tract of land and the Northeast corner of said 20.58 acre tract of land and also being the Northwest corner of said 7.860 acre tract of land.

THENCE N 87°06'30" E with the North line of this tract of land a distance of 19.57 feet to angle point of this tract of land and the Northeast corner of said 7.860 acre tract of land and also being the Northwest corner of said 300.085 acre tract of land.

THENCE N 87°07'52" E with the North line of this tract of land a distance of 1516.68 feet to the Northeast corner of this tract of land, the Northeast corner of said 300.085 acre tract of land and also being the Northwest corner of a called 97.92 acre tract of land as conveyed to Bay Colony Expansion 200, Ltd. as recorded at County Clerk's File No. 2005070681 of the O.P.R.R.P.G.C.TX.

THENCE S 02°54'38" E with the East line of this tract of land, the East line of said 300.085 acre tract of land and the West line of said 97.92 acre tract of land a distance of 3233.62 feet to the Southeast corner of this tract of land.

THENCE S 40°20'17" W with the South line of this tract of land a distance of 731.80 feet to the beginning of a curve to the right.

THENCE in a Southwesterly direction with the South line of this tract of land and said curve to the right having a radius of 2300.00 feet, a central angle of 46°46'51", a length of 1877.91 feet and a chord bearing and distance of S 63°43'43" W, 1826.18 feet to the end of this curve.

THENCE S 87°07'09" W with the South line of this tract of land a distance of 5080.18 feet to the Southwest corner of this tract of land; said point being in

the West line of said 1324.530 acre tract of land and also being in the East line of said Margene West Lloyd tract of land.

THENCE N 03°03'31" W with the West line of this tract of land, the West line of said 1324.530 acre tract of land and the East line of said Margene West Lloyd tract of land a distance of 5.02 feet to a found 2 inch iron pipe with cap stamped "3 N.E.J.W. WEST" for an interior corner of this tract of land.

THENCE S 86°56'39" W with the West line of this tract of land, the West line of said 1324.530 acre tract of land and the East line of said Margene West Lloyd tract of land a distance of 430.95 feet to a found 2 inch iron pipe with cap stamped "4 S.W.W.W. WEST" for an angle point of this tract of land.

THENCE N 03°02'19" W with the West line of this tract of land, the West line of said 1324.530 acre tract of land and the East line of said Margene West Lloyd tract of land a distance of 2177.79 feet to a found 2 inch iron pipe with cap stamped "5 N.E.J.W. WEST" for an interior corner of this tract of land.

THENCE S 86°57'54" W with the West line of this tract of land, the West line of said 1324.530 acre tract of land and the East line of said Margene West Lloyd tract of land a distance of 399.34 feet to a found 2 inch iron pipe with cap stamped "6 S.W.W.W. WEST" for an angle point of this tract of land.

THENCE N 03°02'08" W with the West line of this tract of land, the West line of said 1324.530 acre tract of land and the East line of said Margene West Lloyd tract of land a distance of 2313.73 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated gross area of 794.20 acres (34,595,538 sq.ft.) of land; **SAVE AND EXCEPT** a 4.933 acre tract of land situated in the J.C. League Survey, Abstract No. 661, Galveston County, Texas; said 4.933 acre tract of land being out of and a part of a tract of land conveyed to Richard K. Duncan, Sr. (1/2 interest) as recorded at County Clerk's File No. 9837102 of the Official Public Records of Real Property of Galveston County, Texas; and also being out of and a part of a tract of land conveyed to Venture 2, LLC (1/2 interest) as recorded at County Clerk's File No. 2011034191 of the Official Public Records of Real Property of Galveston County, Texas; said 4.933 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a found pin and cap stamped "GeoSurv" for the Northeast of the J.C. League Survey and an interior corner of a called 1324.530 acre tract of land as conveyed to Richard K. Duncan, Sr. and recorded at County Clerk's File No. 2004015469 of the Official Public Records of Real Property of Galveston County, Texas.

THENCE S 86°48'02" W with the North line of said J.C. League Survey a distance of 506.98 feet to the Northeast corner of this tract of land and being the **PLACE OF BEGINNING**.

THENCE S 01°35'01" E with the East line of this tract of land a distance of 642.38 feet to the Southeast corner of this tract of land.

THENCE S 88°24'59" W with the South line of this tract of land a distance of 337.00 feet to the Southwest corner of this tract of land.

THENCE N 01°35'01" W with the West line of this tract of land a distance of 632.87 feet to the Northwest corner of this tract of land; said point being in the North line of the J.C. League Survey; from this point the Northwest corner of said J.C. League Survey bears S 86°48'02" W, 1054.94 feet.

THENCE N 86°48'02" E with the North line of this tract of land and the North line of said J.C. League a distance of 337.13 feet to **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 4.933 acres (214,881 sq.ft.) of land; **ALSO SAVE AND EXCEPT** a 2.664 acre tract of land situated in the Perry & Austin Survey, Abstract No. 19, and the I.R. Lewis Survey, Abstract No. 15, Galveston County, Texas; said 2.67 acre tract of land being out of and a part of a called 1324.530 acre tract of land conveyed to Richard K. Duncan, Sr. as recorded at County Clerk's File No. 2004015469 of the Official Public Records of Real Property of Galveston County, Texas; said 2.67 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a found pin and cap stamped "GeoSurv" for the Northeast of the J.C. League Survey and an interior corner of said 1324.530 acre tract of land.

THENCE S 02°40'17" E with the East line of said J.C. League Survey and an interior line of said 1324.530 acre tract of land a distance of 737.66 feet to a found 5/8 inch iron rod for the Southeast corner of said J.C. League Survey, the same being the Northeast corner of the C.W. Pressler Survey, Abstract No. 649, Galveston County, Texas, and also being an angle point of said 1324.530 acre tract of land.

THENCE S 02°35'52" E with the East line of said C.W. Pressler Survey and an interior line of said 1324.530 acre tract of land a distance of 939.16 feet to a found 3/4 inch iron pipe for the Southeast corner of said C.W. Pressler Survey, an interior corner of said 1324.530 acre tract of land and being an angle point on the North line of this tract of land and being the **PLACE OF BEGINNING**.

THENCE S 75°30'41" E with the North line of this tract of land a distance of 243.33 feet to the Northeast corner of this tract of land and the beginning of a non-tangent curve to the left.

THENCE in a Southwesterly direction with the East line of this tract of land and said non-tangent curve to the left having a central angle of 05°36'53", a radius of 2050.00, a length of 200.90 feet and a chord bearing and distance of S 22°41'03" W, 200.81 feet to the end of this curve and being the Southeast corner of this tract of land.

THENCE N 70°09'15" W with the South line of this tract of land a distance of 115.73 feet to an angle point on the South line of this tract of land.

THENCE S 86°37'41" W with the South line of this tract of land a distance of 409.53 feet to the Southwest corner of this tract of land.

THENCE N 03°14'08" W with the West line of this tract of land a distance of 210.30 feet to the Northwest corner of this tract of land; said point being in the South line of said C.W. Pressler Survey and an interior line of said 1324.530 acre tract of land.

THENCE N 86°45'53" E with the North line of this tract of land, the South line of said C.W. Pressler Survey and an interior line of said 1324.530 acre tract of land a distance of 371.99 feet to **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 2.67 acres (116,139 sq.ft.) of land; **ALSO SAVE AND EXCEPT** a 50' X 50' tract of land situated in the I.R. Lewis Survey, Abstract No. 15, Galveston County, Texas; said 50' X 50' Metering Station Easement being out of and a part of a called 1324.530 acre tract of land conveyed to Richard K. Duncan, Sr. as recorded at County Clerk's File No. 2004015469 of the Official Public Records of Real Property of Galveston County, Texas; said 50' X 50' Metering Station Easement being more particularly described by metes and bounds as follows:

COMMENCING at a found pin and cap stamped "GeoSurv" for the Northeast of the J.C. League Survey and an interior corner of said 1324.530 acre tract of land.

THENCE S 02°40'17" E with the East line of said J.C. League Survey and an interior line of said 1324.530 acre tract of land a distance of 737.66 feet to a found 5/8 inch iron rod for the Southeast corner of said J.C. League Survey, the same being the Northeast corner of the C.W. Pressler Survey, Abstract No. 649, Galveston County, Texas, and also being an angle point of said 1324.530 acre tract of land.

THENCE S 02°35'52" E with the East line of said C.W. Pressler Survey and an interior line of said 1324.530 acre tract of land a distance of 939.16 feet to a found 3/4 inch iron pipe for the Southeast corner of said C.W. Pressler Survey and an interior corner of said 1324.530 acre tract of land.

THENCE S 02°52'51" E across said 1324.530 acre tract of land a distance of 2729.84 feet.

THENCE S 87°07'09" W across said 1324.530 acre tract of land a distance of 164.75 feet to the Northeast corner of this 50' X 50' Metering Station Easement and being the **PLACE OF BEGINNING**.

THENCE S 02°52'51" E with the East line of this easement a distance of 50.00 feet to the Southeast corner of this easement.

THENCE S 87°07'09" W with the South line of this easement a distance of 50.00 feet to the Southwest corner of this easement.

THENCE N 02°52'51" W with the West line of this easement a distance of 50.00 feet to the Northwest corner of this easement.

THENCE N 87°07'09" E with the North line of this easement a distance of 50.00 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 2500 square feet of land; leaving a net acreage of 786.55 acres (34,262,018 sq.ft.) of land.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



Christian Offenburger
Texas Registration No. 5489
150 West Shadowbend Ave.
Friendswood, Texas 77546
281-648-3131





FBI PAC = FOUND FOR AND CAP
 LR = SON RUC
 LP = NEW PNC
 C.O.F.A. = COUNTY CLERK'S FILE NUMBER
 F.C.# = FLM CODE NUMBER
 G.C.M.R. = CALVESTON COUNTY MAP
 RECORDS
 C.A.P.P.A.C.T. = OFFICIAL PUBLIC RECORDS
 OF REAL PROPERTY
 CALVESTON COUNTY, TEXAS
 D.C.R.N. = DEED RECORDS OF
 CALVESTON COUNTY, TEXAS

SECURED, AFFIRMED AND ACKNOWLEDGED BY THE UNDERSIGNED MEMBERS OF THE BOARD OF DIRECTORS OF

 BRIGANT OF SECTION 49.453 (c), TEXAS WATER CODE, AS AMENDED.

CALLED 87.92 ACRES
 LAY COLONY
 EXPANSION 349, LTD.
 TO
 LAY COLONY
 EXPANSION 350, LTD.
 C.F. No. 2000/27061
 O.P.R.P.C.C.T.

VICE PRESIDENT
SECRETARY
ASSISTANT SECRETARY
DIRECTOR

STATE OF TEXAS
COUNTY OF GARZES

BEFORE ME, THE UNDERSIGNED, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSONS
WHOSE NAMES ARE SUBSCRIBED ABOVE, AND AFFIRMED AND ACKNOWLEDGED THAT
THEY EXECUTED THE SAME IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF
_____, 19____.

Notary Public in and for the State of Texas

PROPERTY PUBLIC IN AND FOR THE
STATE OF TEXAS

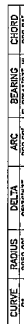
THIS DOCUMENT WAS PREPARED UNDER THE ORDER, DOES NOT INCLUDE THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE INTERESTS AND INTERESTS IMPLIED BY THE CREATION OR RECOGNITION OF AN INTEREST IN THE REAL PROPERTY. THE DOCUMENT IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN, NOR IS IT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

¹ PLS
Registered Professional Land Surveyor
Texas Registration No.

DATE	JAN 31, 2018	SCALE	1"= 300'	JOB NO.	17-2187
CITY	WACO			BARRAGE MAIL	
REV	DESCRIPTION	BY	DATE		
1					
2					
3					

GALVESTON COUNTY M.U.D. 73
DISTRICT BOUNDARY MAP
786.55 ACRES
GALVESTON COUNTY, TEXAS

All beehives are Lambert wild beehives and all correspondences refer to the Texas State Native Grasslands System, South Central Zone (42521), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1963 (Texas 2007 amendment). All references are actual elevations. Forest factor is 8.999999999.



LINE	DISTANCE	BEARING
L1	19.507'	N 87°03'30" E
L2	10.507'	N 87°03'30" E
L3	24.333'	S 75°59'41" E
L4	113.273'	N 70°09'15" W
L5	409.533'	S 86°23'41" W
L6	331.140'	N 03°14'08" W
L7	213.389'	N 02°45'23" E
L8	164.75'	S 87°07'08" W
L9	50.00'	S 82°32'51" E
L10	50.00'	S 87°07'08" W
L11	50.00'	N 02°42'51" E
L12	50.00'	N 87°03'30" E