

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. 74 (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 345.10 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

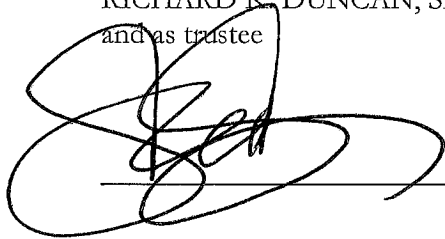
A preliminary investigation has been made to determine the cost of the proposed District's projects, and it is now estimated by the Petitioner, from such information as he has at this time, that such cost will be approximately \$55,960,000.

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

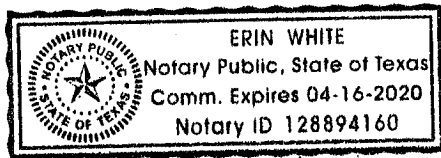


STATE OF TEXAS

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 74 345.10 ACRES

FIELD NOTES of a 345.10 acre tract of land situated in the I.R. Lewis Survey, Abstract No. 15, and the Perry & Austin Survey, Abstract No. 19, Galveston County, Texas; said 345.10 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.); also being out of and a part of a called 7.860 acre tract of land as conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 9725281 of the O.P.R.R.P.G.C.TX. and also being out of and a part of a called 300.085 acre tract of land as conveyed to Richard Duncan, Sr. as recorded at County Clerk's File No. 9725279 of the O.P.R.R.P.G.C.TX.; said 345.10 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 South corner of this tract of land, the same being the most Westerly Northwest corner of a called 491.21 acre tract of land conveyed to West FM 517, Ltd. as recorded at County Clerk's File No. 2015050121 of the O.P.R.R.P.G.C.TX.; from this corner a found pin and cap stamped "GeoSurv" bears S 69°10'41" E, 0.42 feet; said point being in the East line 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 point a found 2 inch iron pipe with cap stamped "16 S.W.W.W. WEST" bears S 03°02'58" E, 479.04 feet and the Southwest corner of Wesley West called 1325.07 acre tract of land as recorded at Volume 1387, Page 384 of the Deed Records of Galveston County, Texas, the Southeast corner of said Margene West Lloyd called 1727.13 acre tract of land and the Southwest corner of said West FM 517, Ltd. called 491.21 acre tract of land bears S 03°02'58" E, 487.40 feet from which a found 5/8 inch iron rod bears S 14°25'16" W, 0.22 feet.

THENCE N 03°02'58" 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 3667.77 feet to a found 2 inch iron pipe with cap stamped "1 N.E.J.W. WEST" for an interior corner of this tract of land.

THENCE S 86°58'07" 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 799.59 feet to a found 2 inch iron pipe with cap stamped "2 S.W.W.W. WEST" for an angle point of this 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 1773.10 feet to the Northwest corner of this tract of land.

THENCE N 87°07'09" E with the North line of this tract of land a distance of 5078.94 feet to the beginning of a curve to the left.

THENCE in a Northeasterly direction with the North line of this tract of land and said curve to the left having a radius of 2700.00, a central angle of 46°46'51", a length of 2204.50 and a chord bearing and distance of N 63°43'43" E, 2143.77 feet to the end of this curve.

THENCE N 40°20'17" E with the North line of this tract of land a distance of 306.57 feet to the Northeast corner of this tract of land; said point being in the East line of said 300.085 acre tract of land and the West line of a called 97.92 acre tract of land conveyed to Bay Colony Expansion 200, Ltd as recorded at County Clerk's File No. 2005070681 of the O.P.R.R.P.G.X.TX.

THENCE S 02°54'38" E with the East line of this tract, 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 174.56 feet to a found pin and cap stamped "GeoSurv" for the most Easterly Southeast corner of this tract of land and the most Easterly Northeast corner of said 491.21 acre tract of land.

THENCE S 40°44'19" W with the South line of this tract of land and the North line of said 491.21 acre tract of land a distance of 198.51 feet to a found pin and cap stamped "GeoSurv" for an angle point of this tract of land and the beginning of a curve to the right.

THENCE in a Southwesterly direction with the South line of this tract of land, the North line of said 491.21 acre tract of land and said curve to the right having a radius of 2819.66 feet, a central angle of 34°16'30", a length of 1686.75 feet and a chord bearing and distance of S 57°52'33" W, 1661.71 feet to the end of this curve.

THENCE S 39°09'32" W with the South line of this tract of land and the North line of said 491.21 acre tract of land a distance of 7248.32 feet to the **PLACE OF BEGINNING**; containing within said boundaries a calculated area of 345.10 acres (15,032,527 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.



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3-27-18

