

## Minor Plat – Reyes Estates (PLAT-25-0091)

|                    |  |
|--------------------|--|
| <b>Request</b>     | A subdivision of approximately 6.55 acres for 1 residential lot.   |
| <b>Applicant</b>   | Brenda DuVerney of High Tide Land Surveying  |
| <b>Owners</b>      | David and Carolyn Reyes  |
| <b>Zoning</b>      | “RSF-10” (Residential Single-Family 10)  |
| <b>Location</b>    | Along the north side of Hewitt Street, east of Dickinson Avenue and west of Texas Avenue with an address of 691 Hewitt Street.   |
| <b>Attachments</b> | <ol style="list-style-type: none"> <li>1. Zoning Map</li> <li>2. Aerial Map</li> <li>3. Proposed Reyes Estates Minor Plat</li> <li>4. DRC Project Status Report (DRC Letter)</li> <li>5. Topographic Survey of Property</li> <li>6. Letter from Property Owner’s Attorney</li> </ol> |

|   |  |
|---|--|
| <b>Purpose, Background &amp; Analysis</b> | <p>The purpose of this plat is to create one residential lot on 6.55 acres of land.</p> <p>The property has been subject to three separate plat applications since January 2023. The first plat application (<b>Reyes Estates, PLAT-23-0062</b>) was reviewed once by the Development Review Committee (DRC) and was incomplete. The second plat application (<b>Hewitt Estate, PLAT-24-0068</b>) was approved by staff; however, the applicant voluntarily withdrew the plat prior to recordation and elected not to file it with Galveston County. The third and current plat application (<b>Reyes Estates, PLAT-25-0091</b>) has been reviewed and was denied by the Planning Director. Per City Council requirement, the plat is now being forwarded to the Planning and Zoning Commission for review and action. Please reference Attachment #4 for a summary of the outstanding issues associated with this plat application.</p> |
|---|--|

The primary remaining issue concerns the dedication of a drainage easement. During review of the plat applications, staff identified an open drainage channel crossing the property from near the center of the southern boundary to the northeast corner. This channel conveys stormwater originating on the site and within the surrounding drainage area as part of the local system that connects the Benson Bayou and Robinson Bayou watersheds. Because the channel provides the only lawful outfall for the property and functions as part of the City’s drainage network, City standards require that it be protected by a dedicated easement to ensure continued conveyance, maintenance access, and system capacity. The requested easement is consistent with the City’s adopted drainage design and construction standards and reflects requirements established in the Unified Development Code for drainage and infrastructure dedication. These provisions are summarized below:

### **Section 5.4.2. Dedication and Construction of Improvements.**

Whether public infrastructure will be located on, adjacent to or outside the boundaries of the property being developed, the developer shall dedicate all rights-of-way and easements for, and shall construct at developers’ expense, improvements within the rights-of-way or easements for the public infrastructure improvements needed to adequately serve a proposed development. This work shall be consistent with the City’s most current Comprehensive Plan, and its related City approved Master Plans, as well as the City’s General Design and Construction Standards. Furthermore, all proposed public infrastructure shall

extend across and to the extent of the property boundary for the development for future use beyond the development in order to facilitate the adjacent property to develop unless waived by the City Engineer due to atypical circumstances. All public infrastructure improvements within the city limits, with the exception of drainage channels or retention/detention facilities, shall become the property of the City upon completion and acceptance.

**Section 5.5.1(b). Easement along major drainage arteries.**

Where a subdivision is divided by a major drainage ditch, a drainage easement or right-of-way conforming with the line of the ditch and of a width as necessary to preserve the unimpeded flow of natural drainage shall be dedicated to the city. If drainage is by an open ditch designated as a major drainage artery, the easement or right-of-way shall be dedicated to the city. The city engineer shall determine the width of the easement or right-of-way.

**Section 5.9.3.h.10. Storm drainage system and detention.**

Prior to approval of a subdivision, a topographic map of the existing drainage conditions and a proposed drainage plan shall be submitted and approved by the City Engineer. An adequate drainage system, including necessary pipes, culverts, intersections drains, drop inlets, bridges, and other improvements shall be provided for the proper drainage of all surface water as approved by the City Engineer. Open ditches are not allowed along newly constructed public or private streets. The one hundred (100) year floodplain and five hundred (500) year floodplain shall be delineated based upon conditions of the projected ultimate development of the subdivision. When a drainage channel, retention/detention facility, or storm sewer is proposed, completed plans, profiles, and specifications shall be submitted showing complete construction details. Open ditches may be considered in a Planned Unit Development.

The owner disputes the need for the drainage easement, asserts that the plat satisfies applicable local and state subdivision requirements, and requests approval without the easement dedication. The owner's letter is included as Attachment 5.

Since 2023, staff and elected officials have met with the owners on multiple occasions to discuss alternatives that could accommodate the owners' goals while maintaining compliance with City regulations. Staff outlined options including potential relocation of the drainage channel, the opportunity for an independent drainage analysis by a licensed engineer to verify or dispute the City's findings, and the option to submit a formal variance request from the drainage-easement requirement. The owners have not pursued a variance or submitted a revised design and instead requested that the Planning and Zoning Commission review the Planning Director's denial and take action on the plat as presented.

**Site and  
Surrounding  
Area**

There are no protected trees on the property.

| Direction | Surrounding Zoning | Surrounding Land Use                           |
|-----------|--------------------|--|
| North     | "RSF-20" / "OS"    | Single-Family Large Lot Homes / Drainage Canal |
| South     | "RSF-20"           | Single-Family Large Lot Homes                  |
| East      | "RSF-20"           | Single-Family Large Lot Homes                  |
| West      | "RSF-20"           | Single-Family Large Lot Homes                  |

**Access**

Access will be provided from Hewitt Street.

## Hewitt Street

|                                | Existing Conditions   | Proposed Conditions   |
|--------------------------------|---|---|
| <i>Roadway Type</i>            | Collector (No Parking)  | Collector (No Parking)  |
| <i>ROW Width</i>               | 50 - 75 Feet  | 70 Feet   |
| <i>Pavement Width and Type</i> | 2-lane, undivided, 12-foot-wide travel lanes with open drainage on each side. | 2-lane, undivided, 12-foot-wide travel lanes with concrete curb and gutter. |

**Water & Sewer** The Engineering Department indicates that the water and sewer capacity are adequate to serve this development.

Water service will be provided from an 8-inch water line on the south side of Hewitt Street

Sanitary sewer service will be provided from a 36-inch sewer line on the south side of Hewitt Street.

According to state law, the Planning and Zoning Commission must approve a plat if the plat meets the following applicable requirements:

**1. Master Plan** The plat conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities.

*Staff finds that the plat conforms to the City's adopted Master Plans.*

**2. Municipal Extension of Infrastructure** The plat conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities.

*Staff finds that the plat does not conform to the City's drainage standards in the General Design Standards and the Unified Development Code. The open channel that crosses the property functions as the site's drainage outfall and must include an easement encompassing the channel and adjacent area necessary for maintenance access. During an earlier submittal that was later withdrawn, staff discussed a reduced-width easement as the minimum area needed to satisfy City standards and agreed that routine access would be limited to maintenance or emergency situations. The owners indicated a willingness to maintain the ditch; however, a recorded easement or plat dedication remains necessary to ensure lawful drainage conveyance and maintenance access if ownership changes.*

*Staff finds that the plat does not conform.*

**3. Municipal Compliance of Regulations** The plat conforms to the rules adopted by the municipality governing plats and subdivisions of land within the municipality's jurisdiction to promote health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

*The plat does not conform with Unified Development Code. The required drainage easement represents the minimum area necessary under City standards to ensure lawful drainage function and maintenance access and is proportionate to the drainage impacts associated with this development.*

*Staff finds that the plat does not conform with Sections 5.4.2, 5.5.1(b), and 5.9.3.h.10 of the UDC.*

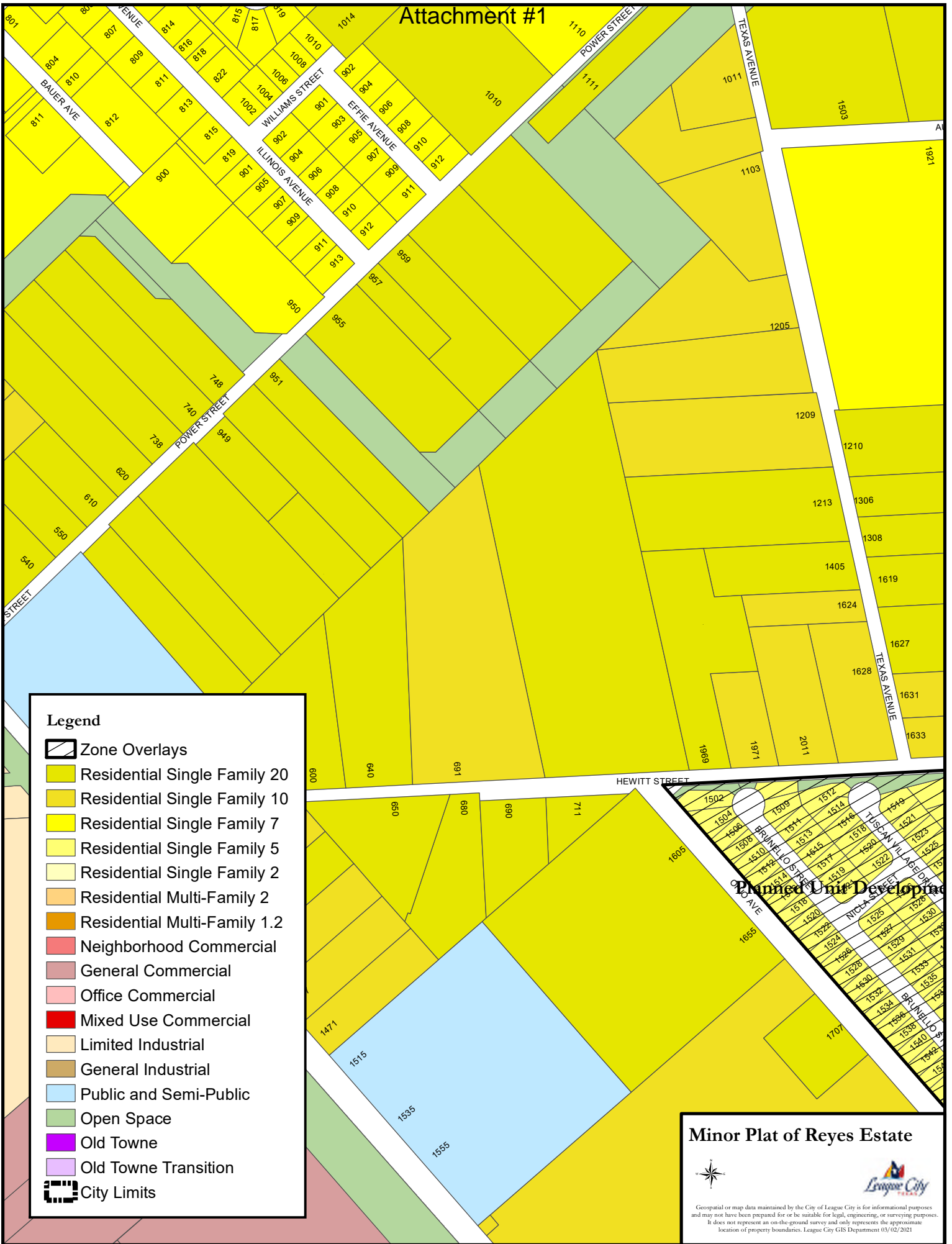
**Staff  
Recommendation**

Staff recommends that the Commission affirms the denial of the plat because it omits the drainage easement required by the City's adopted design standards and Unified Development Code. The easement width reflects the minimum area necessary to provide maintenance access and preserve drainage capacity. This recommendation is based on the uniform application of adopted regulations and protection of existing drainage infrastructure, not on any discretionary or project-specific exaction. In addition, other plat discrepancies are indicated in Attachment #4, the DRC Project Status Report (DRC Letter).




















For additional information:

Contact Vince Hustead, Senior Planner at 281-554-1079 or at [vince.hustead@leaguecitytx.gov](mailto:vince.hustead@leaguecitytx.gov).

# Attachment #1



## Legend

-  Zone Overlays
-  Residential Single Family 20
-  Residential Single Family 10
-  Residential Single Family 7
-  Residential Single Family 5
-  Residential Single Family 2
-  Residential Multi-Family 2
-  Residential Multi-Family 1.2
-  Neighborhood Commercial
-  General Commercial
-  Office Commercial
-  Mixed Use Commercial
-  Limited Industrial
-  General Industrial
-  Public and Semi-Public
-  Open Space
-  Old Towne
-  Old Towne Transition
-  City Limits

## Minor Plat of Reyes Estate



Geospatial or map data maintained by the City of League City is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries. League City GIS Department 03/02/2021





Minor Plat of Reyes Estate



**LCTX**  
LEAGUE CITY

Geospatial or map data maintained by the City of League City is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on the ground survey and only represents the approximate location of property boundaries. League City GIS Department 02/13/2025







## Attachment #4



### DEVELOPMENT REVIEW COMMITTEE (DRC) PROJECT STATUS REPORT

Date: 10/27/2025  
Project Number: PLAT-25-0091  
Project Type/Name: Minor Plat of Reyes Estates  
Applicant: Brenda DuVerney, High Tide Land Surveying, LLC  
brenda@hightidesurveying.com  
(281) 554-7739  
Planning Contact: Vince Hustead  
[vince.hustead@leaguecitytx.gov](mailto:vince.hustead@leaguecitytx.gov)  
(281) 554 - 1079  
1<sup>st</sup> Submittal Date: August 14, 2025  
2<sup>nd</sup> Submittal Date: N/A

Please note that a \$200 fee will be charged for the 3<sup>rd</sup> submittal and \$500 fee will be for any submittal thereafter.

The City of League City Planning Department and other applicable departments have reviewed the submission for the above stated project and made the following comments. The review departments responsible for making comments are in bold and the applicable regulations are noted in parentheses.

*Acceptance of a plan for review does not constitute a complete application. All submissions that have comments, which will be given in this DRC comment letter, will be considered an "incomplete application" until all comments listed below are fully addressed. Partial resubmissions will not be accepted. All submissions must be complete and include all required documentation as outlined in the checklist and letter or will be rejected for incompleteness.*

#### **Planning**

1. **Not Addressed** – In Article I, Materials, Section 1.2 of the Declaration of Restrictions, fill in the blank to indicate the percentage (%) of masonry to be used in new construction. The document proposes "TBD" masonry. It is anticipated that the document should reasonably reflect the existing structures on the property as well as the surrounding community. These requirements would only apply to newly constructed structures. The CCRs submitted with the previous plat application identified 25% masonry.
2. **Not Addressed** – Add the location of the existing stream to the Utility Plan / Survey.
3. **Not Addressed** – Provide a copy of the survey showing all features (i.e. structures, pools, ponds, pavement, etc.) on the property. This information can also be shown on the Utility Plan. **Is there no meter pole, electric line, propane tank or driveway?**
4. Add the following notes to the plat:
  - a. **Addressed 10/16/025** – In the absence of a drainage study approved by the City of League City, Texas, no Lots within the limits of this subdivision shall have more than 55% of its entire area covered by impervious materials.
  - b. **Addressed 10/16/025** – No pre or post developed Storm Water Flows shall be diverted onto adjacent properties and any historical flow shall be accommodated.
  - c. **Not Addressed** – Upon recordation of the plat, maintenance of vegetative areas within or adjacent to rights-of-way shall be the responsibility of the immediately adjacent property owner(s), except for median areas, rear of lots, parks, open spaces or reserves, which shall be the responsibility of the Homeowners Association (HOA).
  - d. **Not Addressed** – "This right-of-way shall be kept clear for fences, buildings, plantings and other obstructions to the operation and maintenance of the drainage facility." Please reference Section 5.5.d of the League City UDC.
5. **Not Addressed** – Revise the dedicatory certification to the following:

THE STATE OF TEXAS

\*



## Attachment #4

COUNTY OF GALVESTON                      \* KNOW ALL MEN BY THESE PRESENTS  
   \*

THAT \_\_\_\_\_ (owner's name) owner of the property subdivided in the above and foregoing plat of \_\_\_\_\_ (subdivision name), a Subdivision in the City of League City, Galveston County, Texas, do hereby make and establish said Subdivision according to the lines, lots, building lines, streets, reserves, notations and easements thereon shown and designate said Subdivision as \_\_\_\_\_ (subdivision name), do hereby dedicate to the City of League City the use of all streets, drives, lanes, water mains, wastewater mains, storm sewer distribution systems, courts, easements, and rights-of-way; do hereby reserve, save, except and hold privately all parks, all water courses, all drainage facilities (including detention ponds), and all common areas as shown here on forever; do hereby waive any claims for damages occasioned by the grades approved for the streets, or occasioned by the alteration of the surface of any portion of the streets to conform to such grades, and; do hereby bind ourselves, our successors, and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, \_\_\_\_\_ (owner's name), owner of the property Subdivided in the above and foregoing plat of \_\_\_\_\_ (subdivision name), do hereby acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City of League City.

FURTHER, \_\_\_\_\_ (owner's name), owner of the property Subdivided in the above and foregoing plat of \_\_\_\_\_ (subdivision name), do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated and to waive any claim, damage or cause of action that we may have as a result of the dedications or exactions made herein.

FURTHER, \_\_\_\_\_ (owner's name), owner of the property Subdivided in the above and foregoing plat of \_\_\_\_\_ (subdivision name), have complied with, or will comply with, the existing regulations heretofore on file and adopted by the City of League City, Galveston County, Texas.

FURTHER, \_\_\_\_\_ (owner's name), owner of the property Subdivided in the above and foregoing plat of \_\_\_\_\_ (subdivision name), does hereby grant drainage rights to the City of League City through all the detention Ponds of \_\_\_\_\_ Subdivision for the purpose for the conveyance of storm water runoff.

WITNESS my hand in the County of \_\_\_\_\_, Texas, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

TITLE OF OWNER OF PROPERTY

a Texas limited liability partnership

BY: \_\_\_\_\_  
Signature                      Print Name and Title

6. **INFORMATIONAL** – It would be recommended to confirm if an aerial easement is needed for the proposed 10' U.E. along the west property line. Previous plat submittals had indicated this area as an "Apparent Electrical Easement." If so, a note would need to be added to the plat referencing the U.E. and A.E.
7. **INFORMATIONAL** – Any new utilities needed for the site, other than what currently exists, will be required to be underground. Any electrical equipment will be required to be pad mounted or underground.
8. **INFORMATIONAL** – The plat shall expire after two years from the date of submittal if it is not filed on record with Galveston or Harris County, as appropriate, unless one of the following occurs towards completion of the project: (i) A good-faith attempt is made to file with a regulatory agency an application for a permit necessary to begin or continue towards completion of the project; (ii) Costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or in part, the project (but exclusive of land acquisition) in the aggregate amount of 5 percent of the most recent appraised market value of the

## Attachment #4

real property on which the project is located; or (iii) Fiscal security is posted to ensure performance of an obligation required by the regulatory agency.

9. **INFORMATIONAL** – Upon approval of the plat, the applicant shall submit to the Planning Department:

- a. A single (1) Mylar set of the plat including the notarized original signatures of the owner(s) of the property included in the plat and the original surveyor and notary seals. (The City will be responsible for the required City signatures and recording the plat with the county.)
- b. An electronic version of the plat, in AutoCAD, .dxf or .dwg formats.
- c. Original tax certificates and receipts from all applicable jurisdictions.
- d. Plat Filing fee.

**Engineering** (Charles Marcus, [charles.marcus@leaguecitytx.gov](mailto:charles.marcus@leaguecitytx.gov), 281-554-1434)

1. **Not Addressed** – Provide a 60-foot drainage easement along the existing waterway on this proposed plat. Texas Local Government Code Chapter 212 and League City's Unified Development Code (UDC) regulates, Sections 125-5.4.2, 125-5.5(b), and 125-5.9.3.h.10, clearly demonstrate this requirement.

**Arborist** (Heather McKnight, [heather.mcknight@leaguecitytx.gov](mailto:heather.mcknight@leaguecitytx.gov), 281-554-1441)

1. **INFORMATIONAL** – If any Protected Trees are proposed for removal, submit a Tree Disposition Plan and a Tree Disposition Permit for approval; Tree Disposition Permit Applications should be submitted for approval through the Planning Department--500 W. Walker Street. An approved Tree Disposition Permit is required prior to demolition, grading, and/or construction. \*\*Note: Protected Trees are defined in Section 125-7.1, Tree Preservation, Mitigation, and Maintenance Ordinance, as (1) measuring at least 12 diameter inches (or 37 inches in circumference) for Large Trees and 6 diameter inches (or 18 inches in circumference) for Small Trees when measured at 4.5 ft above grade AND (2) included in the Tree List found in this section of the ordinance. Trees must meet BOTH of these requirements in order to be considered Protected Trees.\*\*
2. **INFORMATIONAL** – Protected Trees to be preserved shall have protective fencing installed around the dripline; fencing shall remain in place during demolition, grading, and construction.

**Floodplain / Stormwater** (Margaret Corfield, [margaret.corfield@leaguecitytx.gov](mailto:margaret.corfield@leaguecitytx.gov), 281-554-1428)

1. **INFORMATIONAL** – According to FEMA FIRM Map Panel 48167C0039G, effective date of August 15, 2019, this property lies in the X zone.

### Next Steps

1. Revise and resubmit digital PDF format of all responses through the [CSS Online Portal](#). Include a cover letter addressing the comments and any additional changes/revisions made to the document other than those required by staff. Staff will notify the applicant when the plat review has been completed. See the [New Submittal and Resubmittal DRC Schedule](#) online.
2. If no resubmittal or reasonable attempt to move the project forward has been made within six months of a submittal, the application will be deemed dormant and a new application will be required.



# Attachment #5

|               |                  |          |                 |              |                                 |                      |                                  |                                   |                          |
|---------------|------------------|----------|-----------------|--------------|---------------------------------|----------------------|----------------------------------|-----------------------------------|--------------------------|
| GRATE INLET   | LIGHT STANDARD   | CONCRETE | IRON FENCE      | ELECTRIC BOX | CONTROLLING MONUMENT (03-04-24) | AE = AERIAL EASEMENT | I.R. = IRON ROD                  | PP = POWER POLE                   | WLE = WATERLINE EASEMENT |
| SIGN          | WATER VALVE      | COVERED  | WOOD FENCE      | POWER POLE   | CHAIN LINK FENCE                | BL = BUILDING LINE   | MH = MANHOLE                     | R.C.P. = REINFORCED CONCRETE PIPE | EE = ELECTRIC EASEMENT   |
| MANHOLE       | CLEAN OUT        | <> CALL  | POWER LINE      | GUY ANCHOR   | FIRE HYDRANT                    | FNC = FENCE          | OHU = OVERHEAD UTILITIES         | SAN MH = SANITARY SEWER MANHOLE   | DE = DRAINAGE EASEMENT   |
| STORM MANHOLE | SANITARY MANHOLE | BOLLARD  | EDGE OF ASPHALT | WATER METER  |                                 | FND = FOUND          | P.V.C. = POLYVINYL CHLORIDE PIPE | STM MH = STORM SEWER MANHOLE      |                          |
|               |                  |          |                 |              |                                 | I.P. = IRON PIPE     | PL = BOUNDARY LINE               | UE = UTILITY EASEMENT             |                          |

COMMON ABBREVIATIONS



SCALE: 1"=60'

0' 30' 60' 60'

METES AND BOUNDS  
6.547-ACRES (285,191 SQUARE FEET)  
OUT OF LOT 37 OF DIVISION 8, LEAGUE CITY  
LEAGUE CITY, GALVESTON COUNTY, TEXAS

Being 6.547-acres (285,191 square feet), being all of that certain called 6.55-acres of land conveyed to Carolyn Lucie Reyes & David Frank Reyes, as described in deed recorded under Galveston County Clerks File No. (GCCF No.) 2022062180, being located in Division 8 of League City, Galveston County, Texas, said 6.547 acres being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of a called 3.406-acre tract conveyed to Fred Seefeld et al, lying in the north Right-of-Way line (ROW) of Hewitt Street (width varies), marking the southwest corner of the herein described tract, from which a found 1-1/4-inch iron rod bears N32°38'E-0.3 feet and a found 1/2-inch iron rod with cap (Precision), in said north ROW line of Hewitt, bears S87°09'44" West, a distance of 202.54 feet;

THENCE, North 01°57'28" West, departing said north ROW line of Hewitt and along the east line of said 3.406-acre tract, a distance of 757.38 feet, to a set 5/8-inch iron rod with Tiltch cap, lying in the southeast line of a called 1.02-acre tract conveyed to Benjamin Lee & Betty L. Cowey, described in deed recorded in GCCF No. 9548232, marking the north common corner of said 3.406-acres and the herein described tract, from which a found 5/8-inch iron rod bears N46°20'E-1.4 feet;

THENCE, North 45°57'35" East, along the south line of said 1.02-acre tract, a called 0.833-acre tract conveyed to Sheryl Diane Maruca, Trustee, as described in deed recorded GCCF No. 2024011174 and a called 2.275-acre tract conveyed to the City of League City (Drainage Ditch), as described in deed recorded in GCCF No. 9008149, a distance of 315.37 feet, to a found 5/8-inch iron rod with cap (Gessurv), marking the northwest corner of a called 11.60-acre tract conveyed to Mary Elizabeth Garmann, as described in deed recorded in GCCF No. 2022035145, being the northeast corner of the herein described tract;

THENCE, South 12°09'47" East, along the west line of said 11.60-acre tract, a distance of 978.01 feet, to the common south corner of said 11.60-acre tract and the herein described tract, lying in the aforementioned north ROW line of Hewitt (75.6 feet wide at this point), from which a found 3/4-inch iron pipe bears N21°33'E-0.3';

THENCE, South 87°10'06" West, along said north R.O.W. line of Hewitt, a distance of 407.32 feet, to the POINT OF BEGINNING containing 6.547 acres (285,191 square feet) of land;

## NOTES:

1. ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
2. SUBJECT TO A DRAINAGE EASEMENT ON EACH SIDE OF THE CENTERLINE OF ALL NATURAL DRAINAGE COURSES.
3. RESTRICTIVE COVENANTS AND EASEMENTS LISTED IN SCHEDULE "B" OF TITLE COMMITMENT AS DEFINED; NONE LISTED.
4. ABSTRACT INFORMATION PROVIDED HEREON IS BELIEVED TO BE SUFFICIENT AND CORRECT BY THE UNDERSIGNED SURVEYOR, THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. THE ENCUMBRANCES OF RECORD, AS REFLECTED ON THIS SURVEY ARE BASED ON THE RECORDED MAP OR PLAT AND/OR DEEDS, TITLE INFORMATION AND INFORMATION PROVIDED BY OWNER/BUILDER.
5. BUILDER TO VERIFY ALL REQUIREMENTS IMPOSED BY GOVERNING MUNICIPALITIES PRIOR TO PLANNING OR CONSTRUCTION.
6. MINIMUM FINISH FLOOR REQUIREMENTS, IF SHOWN, ARE PER RECORDED PLAT AND/OR DEED RESTRICTIONS ONLY, AND NOTED AS SUCH. ADDITIONAL FINISH FLOOR REQUIREMENTS MAY BE REQUIRED BY F.E.M.A. AND/OR LOCAL GOVERNING AUTHORITIES.
7. SURFACE OR SUBSURFACE FAULTING, HAZARDOUS WASTE, MINERAL RIGHTS, WETLAND DESIGNATION OR OTHER ENVIRONMENTAL ISSUES AND ARCHEOLOGICAL ISSUES HAVE NOT BEEN ADDRESSED WITHIN THE SCOPE OF THIS SURVEY.
8. A PRESCRIPTIVE GROUND AND/OR AERIAL EASEMENT MAY EXIST ADJACENT TO EXISTING UTILITIES NOT LOCATED WITHIN A RECORDED EASEMENT DEDICATED TO THAT UTILITY. OWNER/BUILDER MUST VERIFY CLEARANCE OF UTILITIES AND EASEMENTS WITH APPLICABLE UTILITY COMPANIES PRIOR TO PLANNING AND/OR CONSTRUCTION.
9. BURIED UTILITIES HAVE NOT BEEN SHOWN, VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
10. THIS SURVEY DOES NOT ADDRESS ARCHITECTURAL PROTRUSIONS SUCH AS EAVES, OVERHANGS, WINDOW LEDGES, ETC. IN RELATION TO EASEMENTS AND/OR BUILDING LINES.
11. ALL COORDINATES AND DISTANCES SHOWN HEREON ARE GRID BASED ON TEXAS STATE PLANE, TEXAS SOUTH CENTRAL ZONE 5401. COMBINED SCALE FACTOR = 0.9999666

## FLOOD INFORMATION

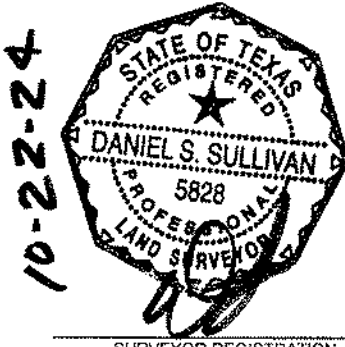
|                         |               |
|-------------------------|---------------|
| F.I.R.M. NO. 48167C     | PANEL: 00395G |
| REVISED DATE 08-15-2019 | ZONE: "X"     |

FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE F.I.R.M.'S ACCURACY.

## CERTIFICATION

I, the undersigned registered professional land surveyor, do hereby state that the plat shown hereon represents a survey made on the ground under my supervision of the tract or parcel of land, according to the map or plat and/or deeds thereof, indicated hereon.

THIS SURVEY IS VALID FOR THIS TRANSACTION ONLY.  
© 2024, TRI-TECH SURVEYING COMPANY, L.P.



SURVEYOR REGISTRATION

| ELEVATION INFORMATION  |   |
|--|---|
| ALL ELEVATIONS SHOWN HEREON ARE BASED ON N.A.V.D. 1988, (GEOID 18) |   |
| BM:  | L.C.TX. NO. LC-2021-118<br>ELEV = 19.07' N.A.V.D. 1988, (GEOID 18)  |
| TBM:   | FND MAG NAIL ON THE WEST SIDE OF HEWITT ST., NEAR THE SOUTHWEST PROPERTY CORNER.<br>ELEV = 17.81' N.A.V.D. 1988, (GEOID 18) |

RESERVE "B"  
MARK PARKER  
SUBDIVISION  
VOL. 18, PG. 674  
G.C.O.P.R.

CALLLED  
1.02 AC.  
TO BENJAMIN LEE COWEY, JR.  
& BETTY L. COWEY  
9548232  
G.C.O.P.R.

TRACT II  
CALLLED  
0.833 AC.  
TO SHERYL DIANE MARUCA,  
TRUSTEE  
2024011174  
G.C.O.P.R.

CALLLED  
2.275 AC.  
TRACT 19 (21&22),  
OUT OF LOT 33, DIVISION "B"  
UNRECORDED SUBDIVISION  
TO THE CITY OF LEAGUE CITY  
G.C.C.F. NO. 9008149  
G.C.D.R.

CALLLED  
6.55 AC.  
TO CAROLYN LUCIE REYES  
& DAVID FRANK REYES  
OUT OF LOT 37,  
DIVISION "B" LEAGUE CITY  
2022062180  
G.C.O.P.R.

CALLLED  
11.60 AC.  
OUT OF LOT 37, DIVISION "B"  
UNRECORDED SUBDIVISION  
GAC 2022035145  
G.C.O.P.R.

CALLLED  
3.406 AC.  
TO FRED SEEFELD, & VIRGINIA SEEFELD,  
& TOMMIE SUE GEDDES  
OUT OF LOT 38, DIVISION "B"  
UNRECORDED SUBDIVISION  
LEAGUE CITY  
G.C.C.F. NO. 2019057257  
G.C.O.P.R.

CALLLED  
2.643 AC.  
TO JUSTIN ADAM MORRIS  
& JULIA GOODMAN MORRIS  
OUT OF LOT 38, DIVISION "B"  
UNRECORDED SUBDIVISION  
LEAGUE CITY  
2023001014, G.C.O.P.R.

UNRESTRICTED  
RESERVE "C-3-2"  
HEWITT ACRES  
NO. 3  
FILM CO. NO.  
9335137  
G.C.M.R.

HEWITT ACRES  
NO. 4  
VOL. 18, PG. 779  
G.C.M.R.

UNRESTRICTED  
RESERVE "B-2"  
HEWITT ACRES  
NO. 4  
VOL. 18, PG. 779  
(G.C.M.R.)

UNRESTRICTED RESERVE "B-1"  
PARTIAL REPLAT OF UNRESTRICTED RESERVE "B"  
HEWITT ACRES  
PLAT RECORD 2003A, MAP 25  
(G.C.M.R.)

**TRI-TECH**  
SURVEYING COMPANY, L.P.

10401 WESTOFFICE DR.  
HOUSTON, TEXAS 77042  
PH: 713-667-0800

www.tritechtx.com TBPLS #10115900

| NO | DATE     | REASON      | BY  |
|----|----------|-------------|-----|
| 1  | 10-09-24 | UPDATE TOPO | EJH |

REVISIONS

691 HEWITT STREET

LEAGUE CITY, GALVESTON COUNTY, TEXAS 77573

## BOUNDARY, TOPO W/TREE UPDATE SURVEY

| PROPERTY INFORMATION |                                  |
|----------------------|----------------------------------|
| LOT                  | SEE LEGAL DESCRIPTION            |
| BLOCK                | SEE LEGAL DESCRIPTION            |
| SUBDIVISION          | SEE LEGAL DESCRIPTION            |
| RECORDING            | SEE LEGAL DESCRIPTION            |
| BORROWER             | DAVID REYES & CAROLYN REYES      |
| TITLE COMPANY        | TRI-TECH SURVEYING COMPANY, L.P. |
| OF NO.               | 4927240005                       |
| OF EFFECTIVE DATE    | 02-19-24                         |
| SURVEYED FOR         | PARTNERS IN BUILDING             |

| DRAWING INFORMATION |                                     |
|---------------------|-------------------------------------|
| JOB NO.             | PIB1012-24                          |
| CALCULATED BY       | E.HERNDON                           |
| DRAWN BY            | E.HERNDON                           |
| BEARING BASE        | TEXAS STATE PLANE COORDINATE SYSTEM |
|                     | TEXAS SOUTH CENTRAL ZONE 5401       |
| FIELD CREW          | D.ROSE / V. JUAREZ                  |
| PEN TABLE           | TRI-TECH                            |
| DATE                | 03-14-24                            |
| COGO VER            | ADSK C3D 2015                       |

JOHNSON &amp; ASSOCIATES

CHRISTOPHER L. JOHNSON

Partner

Chris@Johnson-Attorneys.com

October 3, 2025

Via Email: [planner@leaguecitytx.gov](mailto:planner@leaguecitytx.gov)

League City Development Review Committee  
 League City, Texas  
 300 W Walker Street  
 League City, Texas 77573  
 Attn. Vince Husted

Re: Minor Replat for David & Carolyn Reyes - 691 Hewitt, League City, Texas  
 77573 – **Response to DRC Project Status Report**

Dear Mr. Husted:

Our firm represents David and Carolyn Reyes regarding the above-referenced matter. We have reviewed your correspondence from the Development Review Committee (“DRC”) regarding the minor replat submitted by the Reyes. According to the DRC’s Project Status Report, the committee is requesting that the Reyes dedicate a drainage ditch on their property to the City, include language for a homeowner’s association, and additional dedications and extractions to City for the property being “subdivided.” *However, the Reyes are not subdividing the property, nor are they seeking a replat to develop a “subdivision.”*

The property is a 6.55-acre tract located in Division B of League City Subdivisions, out of the M. Muldoon Two League Grant, Abstract 18, according to the Map or Plat thereof. The Reyes purchased the property in 2022 as a single lot. Thus, the submitted plat meets the requirements for a minor replat according to League City’s Development Handbook<sup>1</sup> and League City Unified Development Code.<sup>2</sup>

Since the minor replat is not a multi-property development or subdivision, most of the exactions and dedications requested should not apply to the single tract or they are not proportional to the government interest. As such, please see our response to the DRC comments below:

#### Planning

1. ¶ 1. The Masonry requirement should be removed or adjusted since the land is raw undeveloped land, and the Reyes should not be limited by a masonry requirement for future construction until the permitting application.
2. ¶ 2. Rejected. See Engineering ¶ 1. The Reyes are not removing the ditch and it will remain on the drainage plan.
3. ¶ 3. There are no improvements to identify (that are not subject to change during construction).

<sup>1</sup> See the League City Handbook at pg. 24: “A plat involving four or fewer lots, fronting on an existing street and not requiring the extension of municipal facilities. Approval authority.”

<sup>2</sup> See League City Unified Development Code, 5.3.12,



4. Add the Following notes to the Plat
  - a. Accepted. If the Reyes drainage plan is not accepted by League City.
  - b. Accepted. The Reyes currently have no plans to divert the ditch or any historical drainage and will compensate for any historical flow during construction or a later date as necessary.
  - c. The requirements for an HOA, parking lot, parks, or right of way "with an adjacent property owner" are only applicable to a subdivision or multi-property development.
5. The Reyes also request that that the dedicatory certification be revised to reflect that the Reyes are not subdividing any property or developing a subdivision. *See* Exhibit A, attached hereto.
6. Accepted, pending additional research on the existence of the "Apparent Electrical Easement."
7. Accepted.
8. Acknowledged.
9. Acknowledged.

**Engineering**

1. Rejected. See below.

The requirement that the Reyes **dedicate the ditch and maintain** it at their expense is a regulatory taking protected by the Texas Constitution, under Article 1, Section 17. *See also, Dolan v. City of Tigard*, 512 U.S. 374, 377, 114 S.Ct. 2309, 129 L.Ed.2d 304 (1994) (involving city's action in conditioning approval of Dolan's building permit on her dedication of a portion of her property to city for flood control and traffic improvements); *Nollan v. California Coastal Comm'n*, 483 U.S. 825, 827, 107 S.Ct. 3141, 97 L.Ed.2d 677 (1987) (permit to build larger residence on beachfront property conditioned on dedication of easement allowing public to traverse strip of property).

The Dolan two-part test is required in exaction cases. *Town of Flower Mound v. Stafford Ests. Ltd. P'ship*, 71 S.W.3d 18, 32 (Tex. App. 2002), *aff'd*, 135 S.W.3d 620 (Tex. 2004). Under the two-pronged Dolan test, an essential nexus must exist between the exaction and a legitimate state interest that is roughly proportional to the public consequences of the requested land use. *Id.*

Whether intentional or not, League City is treating the Reyes' replat and application for permit as if the project is a subdivision development and citing regulations applicable to subdivision development to justify their position. Hence, the requirement that the ditch be dedicated is contradicted by section 5.4.2 of the League City Uniform Development Code which states, "All public infrastructure improvements within the city limits, with the exception of

drainage channels or retention/detention facilities, shall become the property of the City upon completion and acceptance.” Nevertheless, League City is requesting exactions and dedication(s) from the Reyes as if they are developing a subdivision.

However, ***League City (not the Reyes) must prove “by clear and convincing evidence” that the dedication satisfies the two-pronged Dolan test*** since the property is an individual parcel. *Town of Flower Mound v. Stafford Ests. Ltd. P’ship*, 71 S.W.3d 18, 38 (Tex. App. 2002), *aff’d*, 135 S.W.3d 620 (Tex. 2004).

Here, the requirement that the Reyes dedicate the ditch to League City will not satisfy the Dolan test. The ditch (which the DRC correspondence refers to as a “stream” and “water-way”) is a surface ditch that rarely contains water. A roadside ditch is already located on the property, League City already possesses a 30-foot drainage easement directly north of the property<sup>3</sup> and a 60-foot drainage easement south of the property,<sup>4</sup> and a retention pond is located next to property directly to the west.<sup>5</sup> The property is also not located in the 100-year or 500-year floodplain and does not flow into major drainage arteries in Galveston County and are “likely considered isolated” under 33 C.F.R. § 330.2(e) according to the attached study from Terracon. See Exhibit 1, attached hereto.

Moreover, the ditch cuts through the Reyes’ property and will divide property into two parcels, severely limiting the property’s value—in addition to infringing on their use and enjoyment of their present and future property rights. See *City of Buda v. N.M. Edificios LLC*, No. 07-20-00284-CV, 2021 WL 1522458, at \*4 (Tex. App.—Amarillo Apr. 16, 2021, *pet. denied*) (stating that, “yet, of utmost importance is the existence of a reasonable investment-backed expectation, for without one, no other factor matters” when discussing government exactions).

There is no dispute that the drainage ditch dedication requirement is an exaction that League City will bear the burden of proving is proportional. See *Mira Mar Dev. Corp. v. City of Coppell*, Texas, 421 S.W.3d 74, 89 (Tex. App. 2013) (discussing that the city is assertion that the dedication was necessary to “prevent flooding” failed to prove that the “creek bed was an essential nexus of a legitimate government interest”).

Therefore, we demand that League City agree to waive the dedication requirement,<sup>6</sup> provide the information required by the City to grant a variance or compensate the Reyes for their property if the City insists (and must prove) is necessary to prevent flooding.

The Reyes are also willing to discuss the matter further and are willing to request a variance if League City provides the exact information (or additional) study it requires to grant the request. However, the City’s requirement that the Reyes publicly dedicate their private property without compensation as a condition precedent to a minor replat is a regulatory taking prohibited under Texas law.

### **Arborist**

<sup>3</sup> See Galveston County Real Property records at File No. 9006149.

<sup>4</sup> See Galveston County Real Property records at File No. 2021020781 and File No. 2021054324.

<sup>5</sup> See Galveston County Real Property records at File No. 2019037257.

<sup>6</sup> The Reyes also request that League City waive the homeowner’s association and other exactions and dedications applicable to subdivision development.



October 3, 2025

Page 4

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1. ¶ 1. Accepted (if any).

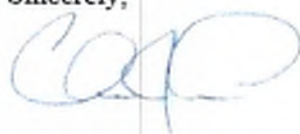
2. ¶ 2. Accepted (if any).

**Floodplain/Stormwater**

1. ¶ 1. Acknowledged.

If you would like to discuss this matter further, please feel free to contact me. Your urgent attention to this matter is requested.

Sincerely,



Christopher L. Johnson

THAT, David F. Reyes and Carolyn L. Reyes, herein referred to as owners of the property ~~subdivided~~ in the above and foregoing plat of **REYES ESTATES**, being all that certain 6.55 acres (285,165 square feet) of land being apart of Lot 37 in Division "B" of League City and Subdivisions, out of the **M. MULDOON TWO LEAGUE GRANT. ABSTRACT 18**, according to the map or plat thereof made by R. W. Luttrell, C. E., in 1893 for J. C. League, now in common use, and to which reference is hereby made for all purposes; said 6.55 acre tract, originally referenced as a 7 acre tract of land under Volume 289, Page 479 of the Galveston Deed Records, was conveyed from Herbert E. Hewitt, Imagene Hewitt Kelly and Patrick Kelly to Dan Grady Wood and Jean Butler Wood and recorded in Volume 1627, Page 380 of the Galveston County Deed Records in the Official Public Records of Real Property of Galveston County, Texas, and dedicate to public use, as such, the streets and easements shown hereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for streets or occasioned by the alteration of the surface of any portion of streets to conform to such grades; ~~and do hereby bind ourselves, our successors and assigns to warrant and forever defend the title to the land so dedicated.~~

FURTHER, David F. Reyes and Carolyn L. Reyes, owners of the property ~~subdivided~~ in the above and foregoing plat of **REYES ESTATES**, have with, or will comply with, the existing regulations heretofore on adopted by the City of League City, Galveston County, Texas.

FURTHER, David F. Reyes and Carol L. Reyes, owners of the property ~~subdivided~~ in the above and foregoing plat of **REYES ESTATES**, do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated ~~and to waive any claim, damage or cause of action that we may have as a result of the dedications or exactions made herein.~~

FURTHER, David F. Reyes and Carolyn L. Reyes, owners of the property ~~subdivided~~ in the above and foregoing plat of **REYES ESTATES**, do hereby acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City of League City.

~~FURTHER, David F. Reyes and Carolyn L. Reyes, owners of the property subdivided in the above and foregoing plat of REYES ESTATES, do hereby grant drainage rights to the City of League City through the drainage ditch/drainage easement of REYES ESTATES Subdivision for the purpose for the conveyance of storm water runoff.~~